

Panaji, 4th February, 2021 (Magha 15, 1942)

SERIES I No. 45

OFFICIAL GOVERNMENT OF GOA GAZETTE



PUBLISHED BY AUTHORITY

NOTES

There is an Extraordinary issue to the Official Gazette, Series I No. 44 dated 28-1-2021, namely:—

(1) Extraordinary dated 28-1-2021 from pages 1885 to 1887 from Department of Civil Aviation, Notification No. 121/DOCA/MADA Rules/2018 regarding the Goa (Mopa Airport Development Authority) (First Amendment) Rules, 2021; and Notification No. 5-7-2020-Fin (DMU) regarding Market Borrowing Programme from Department of Finance (Debt Management Division).

INDEX

Department	Order/Notification/Bill	Subject	Pages
1. a. Goa Legislature Secretariat	Bill.- LA/LEGN/2021/1947	The Goa (Regulation of House Building Advance) Bill, 2021.	1890
b. —do—	LA/LEGN/2021/1948	The Goa Lokayukta (Amendment) Bill, 2021.	1892
c. —do—	LA/LEGN/2021/1949	The Goa Staff Selection Commission (Amendment) Bill, 2021.	1896
d. —do—	LA/LEGN/2021/1950	The Goa Municipalities (Amendment) Bill, 2021.	1898
e. —do—	LA/LEGN/2021/1951	The Goa Non-Biodegradable Garbage (Control) (Amendment) Bill, 2021.	1904
f. —do—	LA/LEGN/2021/1957	The Goa Appropriation Bill, 2021.	1907
g. —do—	LA/LEGN/2021/1958	The Goa Fiscal Responsibility and Budget Management (Amendment) Bill, 2021.	1910
h. —do—	LA/LEGN/2021/1959	The Goa Land Revenue Code (Amendment) Bill, 2021.	1911
i. —do—	LA/LEGN/2021/1960	The Goa Regularisation of Unauthorized Construction (Amendment) Bill, 2021.	1914
J. —do—	LA/LEGN/2021/1961	The Goa Motor Vehicles (Amendment) Bill, 2021.	1916
2. Home Under Secretary	Not.- 2/86/82-HD(G)/Part-II/272	Declaration of Mopa Airport Area as prohibited place for the purposes of the Official Secrets Act, 1923.	1921
3. Industries Under Secretary	Not.- 3/02/2015-IND/64	Ease of Doing Business.	1921
4. a. Law & Judiciary Under Secretary	Ord.- 14/05/2020-LD/Estt./182	Creation of posts.	1922
b. —do—	Ord.- 14/07/2016-LD/Estt./183	Creation of posts.	1922
5. Personnel Under Secretary	Not.- 1/3/88-PER (Pt. II)	R.R.— Department of Printing & Stationery.	1923
6. Power Chief Elec. Engg. & ex off. Addl. Secy.	Ord.- CEE/Estt/Revival Execut. Engin./3500	Revival of post.	1925
7. Revenue Under Secretary	Not.- 16/28/2016-RD/7711	Draft Rules— Goa Land Revenue (Record of Rights and Register of Cultivators) (Amendment) Rules, 2021.	1925

Goa Legislature Secretariat

LA/LEGN/2021/1947

The following bill which was introduced in the Legislative Assembly of the State of Goa on 27th January, 2021 is hereby published for general information in pursuance of Rule-138 of the Rules of Procedure and Conduct of Business of the Goa Legislative Assembly.

The Goa (Regulation of House Building Advance) Bill, 2021

(Bill No. 2 of 2021)

A

BILL

to regulate house building advance and to cancel/abolish existing house building advance scheme and for matters connected and incidental thereto.

Be it enacted by the Legislative Assembly of Goa in the Seventy-second Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Goa (Regulation of House Building Advance) Act, 2021.

(2) It shall be deemed to have come into force on the 15th day of May, 2020.

2. *Definitions.*— In this Act, unless the context otherwise requires,—

(a) 'appointed date' means the date on which this Act came into force;

(b) 'beneficiary' means a Government Servant who on the appointed date has already been disbursed, either in part or in full, the house building advance, the repayment of which along with the interest thereon is outstanding;

(c) 'Government' means the Government of Goa;

(d) "house building advance" means house building advance admissible to

beneficiary under the House Building Advance Rules/Scheme followed by the Government;

(e) "sanctioning authority" means Head of the respective Government Department, who has sanctioned house building advance to the beneficiary;

(f) 'Drawing and Disbursing Officer' means Head of Department/Head of office or an Administrator and also any other Gazetted Officer so designated by a Department of the Government of Goa.

3. *Cancellation/abolition of the House Building Advance Scheme.*— Notwithstanding anything contained in any judgment, decree or order of any court, tribunal or other authority, or any law, rule, regulation, bye-law, scheme, document, contract or instrument to the contrary, the house building advance admissible to beneficiary shall stand cancelled/abolished with effect from the appointed date.

4. *Effect of the Abolition.*— (1) Notwithstanding anything contained in any judgment, decree or order of any court, tribunal or other authority, or any law, rule, regulation, bye-law, scheme, document, contract or instrument to the contrary, every beneficiary shall be charged interest at the prevailing bank rate on and from the appointed date and the Government shall not be liable to pay any amount whatsoever on such House building advance:

Provided that every beneficiary shall be at liberty to shift/transfer his loan account from the Bank of India/HDFC to any other bank financial institution of his choice within a period of one year from the date of coming into force of this Act.

(2) The Deed of mortgage or any other charge or surety created or executed in favour of the Government by the beneficiary shall stand transferred in favour of the Bank of India/HDFC (financial institution) with effect from the appointed date.

(3) The monthly installments payable by the beneficiary to Bank of India/HDFC shall continue to be deducted at source from the salary of the beneficiary by the sanctioning authority/Drawing and Disbursing Officer and paid to Bank of India/HDFC.

(4) Save as provided hereinabove, on and from the appointed date the Government shall not be liable or responsible, in any manner, in respect of the payment of the monthly installment by the beneficiary.

(5) Notwithstanding anything to the contrary contained in any other law for the time being in force, the Government shall not be liable to pay the beneficiary any amount or compensation of whatsoever nature for any loss, financial dues, hardship, damage, etc., if any, incurred or experienced by the beneficiary on account of cancellation/abolition of the House Building Advance Scheme.

(6) All Applications pending consideration under the House Building Advance Scheme shall stand rejected with effect from the appointed date.

5. *Protection of action taken pursuant to circular.*— The Circular bearing No. 7/26/2020-Fin(DMU)/1158 dated 3rd June, 2020 issued by the Finance Department, Government of Goa, shall have effect from the appointed date and all action taken pursuant to the said circular shall be deemed to be valid and proper.

6. *Resumption of the House Building Advance Scheme.*— The Government may, at any point of time, by notification in the Official Gazette, resume the cancelled House Building Advance Scheme under this Act or frame new House Building Advance Scheme on such terms and conditions as it deems fit:

Provided that, the power to resume or frame a new House Building Advance Scheme, shall also include the power to withdraw such Scheme at any point of time, depending upon the financial exigencies of the Government.

7. *Bar on institution of legal proceedings.*— No suit, prosecution or other legal proceedings shall be maintained against the Government or any of its Officers or persons duly appointed or authorised by it in respect of any action or any order or direction issued or taken or purported to be issued or taken under the provisions of this Act including on the directions/executive Instructions issued under the Circular bearing No. 7/26/2020-Fin(DMU)/1158 dated 3rd June, 2020.

8. *Power to remove difficulties.*— (1) If any difficulty arises in giving effect to the provisions of this Act, the Government may, by a general or special order, make such provisions not inconsistent with the provisions of this Act, as may appear to it to be necessary or expedient for the purpose of removing the difficulty:

Provided that, no such order shall be made after the expiry of the period of two years from the commencement of this Act.

9. *Repeal and saving.*— (1) The Goa (Regulation of House Building Advance) Ordinance, 2020 (Ordinance No. 10 of 2020) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the Ordinance, shall be deemed to have been done or taken under this Act at the relevant time.

Statement of Objects and Reasons

The Government of Goa for welfare and betterment of the State Government employees had initiated House Building Advance Rules/Scheme vide Order No. 3/7/79-Fin(Exp) dated 12-12-1988. The Government of Goa had enhanced maximum ceiling limit of house building advance from time to time for the Government employees of this State and vide Office Memorandum No. 8/3/2013 Fin (R & C) (Part-I) dated 26-08-2014 current ceiling limit is fixed at Rs. 36.00 lakhs and quantum to be admissible

to employee is dependent upon length of service left and repaying capacity of such Government employee at concessional rate of 2% per annum. The difference between the rate charged by the Bank and the interest rate payable by Government employee was borne by the Government. Hence, the Government had to bear the entire difference between interest at prevailing bank rate and interest at subsidized rate i.e approximately Rs. 19.70 crores per year for 1955 beneficiaries.

The State Government has implemented Scales under VIIth Pay Commission Recommendations with effect from 01-01-2016 which are much higher than the scales existing under Vth Pay Commission Recommendations. There has been tremendous pressure on the State finances due to the COVID-19 pandemic in the year 2020 necessitating reduction in committed Government expenditure.

The Hon'ble Governor of Goa had promulgated the Goa (Regulation of House Building Advance) Ordinance, 2020 so as to do away with House Building Advance Scheme/Rules applicable to Government employees and benefits thereunder with effect from 15th day of May, 2020.

This Bill seeks to repeal the Goa (Regulation of House Building Advance) Ordinance, 2020 promulgated by the Governor of Goa on 12th day of September, 2020.

This Bill seeks to achieve above objects.

Financial Memorandum

While extending House Building Advance at concessional rate of interest of 2% the Government had to bear the entire difference between prevailing Bank rate of interest and the subsidized rate of interest i.e approximate amount of which is Rs. 19.70 crores per year were to be borne by the State Government for 1955 beneficiaries of the State/Grant-in-aid. The same will no longer be borne by State Government.

Memorandum Regarding Delegated Legislation

No delegated legislation is envisaged in this Bill.

Porvorim-Goa
13-01-2021

Dr. PRAMOD SAWANT
Chief Minister/
/Minister for Finance

Assembly Hall
Porvorim-Goa
13-01-2021

NAMRATA ULMAN
Secretary to the
Legislative Assembly of Goa

LA/LEGN/2021/1948

The following bill which was introduced in the Legislative Assembly of the State of Goa on 27th January, 2021 is hereby published for general information in pursuance of Rule-138 of the Rules of Procedure and Conduct of Business of the Goa Legislative Assembly.

The Goa Lokayukta (Amendment) Bill, 2021

(Bill No. 5 of 2021)

A

BILL

further to amend the Goa Lokayukta Act, 2011 (Goa Act 3 of 2012).

BE it enacted by the Legislative Assembly of Goa in the Seventy-second Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Goa Lokayukta (Amendment) Act, 2021.

(2) It shall come into force at once.

2. *Amendment of section 2.*— In section 2 of the Goa Lokayukta Act, 2011 (Goa Act 3 of 2012) [hereinafter referred to as the ("principal Act")]:—

(i) in clause (b)—

(a) in item (i), the expression "nepotism or lack of integrity" shall be omitted.

(b) in item (ii), the words "or improper or corrupt motive" shall be omitted.

(c) for item (iii), the following item shall be substituted, namely:—

"has abused or misused his position to obtain any gain or favour to himself or to any other person or to his family members, namely, spouse, children, parents and siblings, mother-in-law, father-in-law, brother-in-law, sister-in-law and their respective spouses".

(ii) in clause (i), for the word "mal-administration" the words "a corrupt act" shall be substituted;

(iii) clause (I) shall be omitted.

3. *Amendment of section 3.*— In section 3 of the principal Act, for sub-section (2), the following sub-section shall be substituted, namely:—

"(2) A person to be appointed as the Lokayukta shall be a person who has held the office of a Judge of the Supreme Court, or of a Judge of the High Court. A person to be appointed as the Upa-Lokayukta shall be a person of eminence in public life with impeccable integrity and outstanding ability having special knowledge and expertise of not less than twenty years in the matters relating to anti-corruption policy or public administration, finance, including insurance and banking or law or management".

4. *Amendment of section 9.*— In section 9 of the principal Act for sub-section (2) the following sub-section shall be substituted, namely:—

"(2) Notwithstanding anything contained in sub-section (1) or any other provisions of this Act, where any allegation of corruption against any public functionary comes to the knowledge or is brought to the notice of the Government, it may, if satisfied that it is necessary in public interest so to do, by order in writing refer such allegations of corruption to the Lokayukta for investigation and the

Lokayukta, either himself or through the Upa-Lokayukta shall investigate the same as if it was a complaint presented under this Act".

5. *Insertion of new section 10A.*— After section 10 of the principal Act, the following section shall be inserted, namely:—

"10A. *Statutory matters, etc.*— Nothing in this Act shall permit the Lokayukta or Upa-Lokayukta to examine the correctness of any Judgement or order passed by any Court of Law, Tribunal, Statutory Authority or Officer, under a Statute, or to decide any issue, question or dispute which is required to be settled, decided or adjudicated upon by a competent Court or Authority created under any statute."

6. *Amendment of section 13.*— In section 13 of the principal Act, in sub-section (1), the following proviso shall be inserted, namely:—

"Provided that if prior sanction of any authority is required under any law for the time being in force for such investigation then, such prior sanction shall be obtained from such authority before initiation of such investigation."

7. *Amendment of section 16.*— In section 16 of the principal Act,—

(i) in sub-section (1), clause (b) shall be omitted;

(ii) for sub section (2), the following sub-section shall be substituted, namely:—

"(2) The competent authority shall examine the report forwarded to it under sub-section (1), and within three months of the date of receipt of the report, intimate or cause to be intimated to the Lokayukta or Upa Lokayukta, as the case may be, the action taken or proposed to be taken or the reasons for refusal to take action, on the basis of the report."

(iii) for sub section (3), the following sub-section shall be substituted, namely:—

"(3) If the Lokayukta or the Upa-Lokayukta, as the case may be, is

satisfied with the action taken or proposed to be taken or the reasons for refusal to take action intimated to him under sub-section (2) by the Competent Authority, he shall close the case under information to the complainant, if any, the public functionary and the competent authority, but where he is not satisfied and if he considers that the case so deserves, he may make a special report upon the case to the Governor and also inform the competent authority concerned and the complainant, if any."

8. *Amendment of section 16A.*— In section 16A of the principal Act-

(i) sub-section (3) and sub-section (4) shall be omitted;

(ii) in sub-section (5) the words "or deemed acceptance" shall be omitted.

9. *Substitution of section 17.*— For section 17 of the principal Act, the following section shall be substituted, namely:—

17. *Initiation of prosecution.*— If, after investigation into any complaint, the Lokayukta or Upa-Lokayukta, as the case may be, is satisfied that the public functionary has committed a criminal offence and that he should be prosecuted in a court of law for such an offence, then the Lokayukta or Upa-Lokayukta, as the case may be, may pass an order directing the initiation of prosecution against the public functionary concerned:

Provided that before implementation of the direction for prosecution, prior sanction from the Competent Authority shall be obtained for such prosecution against the public functionary:

Provided further that nothing in this section shall be construed as enabling the Lokayukta or Upa-Lokayukta to exercise powers under sub-section (3) of section 156 of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974).

10. *Omission of section 27.*— Section 27 of the principal Act shall be omitted.

Statement of Objects and Reasons

The Bill seeks to amend sections 2, 9, 10, 13, 16, 16A, 17 and 27 of the Goa Lokayukta Act, 2011 (Goa Act 3 of 2012) with a view to bring the Goa Lokayukta Act in line with the provisions of the Constitution of India, the Code of Criminal Procedure, 1973 and the Prevention of Corruption Act, 1988 as amended vide the Prevention of Corruption (Amendment) Act, 2018.

The Bill also seeks to amend sub-section (2) of section 3 of the Goa Lokayukta Act, 2011 (Goa Act 3 of 2012) so as to provide that a person to be appointed as the Lokayukta shall be a person who has held the office of a Judge of the Supreme Court, or a retired Judge of the High Court and to provide that a person to be appointed as Upa-Lokayukta shall be an eminent person who is of an impeccable integrity and outstanding ability having special knowledge and expertise of not less than twenty years in the matters relating to public administration or finance; including insurance and banking or law or anti-corruption policy or management, as there is difficulty in obtaining the willingness from eligible retired Supreme Court Judges or retired High Court Chief Justices for appointment as Goa Lokayukta.

This Bill seeks to achieve the above objects.

Financial Memorandum

No financial implications are involved in this Bill.

Memorandum Regarding Delegated Legislation

No delegated legislation is involved in this Bill.

Porvorim-Goa
Dated: 21-01-2021

(DR. PRAMOD SAWANT)
Hon. Chief Minister/
Minister for Vigilance

Assembly Hall,
Porvorim-Goa,
Dated: 21-01-2021

(NAMRATA ULMAN)
Secretary to the Legislative
Assembly of Goa

ANNEXURE

**Extract of sections 2, 3, 9, 10, 13, 16, 16A, 17
and 27 of the Goa Lokayukta Act, 2011
(Goa Act 3 of 2012).**

2. Definitions.—

2 (b) (i) is guilty of corruption, favouritism, nepotism or lack of integrity;

2 (b) (ii) was actuated in the discharge of his functions by personal interest or improper or corrupt motive;

2 (b) (iii) has abused or misused his position to obtain any gain or favour to himself or to any other person or to cause loss or undue harm or hardship to any other person;

2 (i) "grievance" means claim by any person against public functionary, falling under clause (q) (xi) of Section 2 of this Act, that he sustained injustice or undue hardship in consequence of mal-administration by such public functionary;

2 (l) "Mal-administration" means action taken or purporting to have been taken in the exercise of administrative functions in any case :-

(i) where such action or the administrative procedure or practice governing such action is unreasonable, unjust, oppressive or improper, discriminatory; or

(ii) where there has been negligence or undue delay in taking such action, or the administrative procedure or practice governing such action involves undue delay;

3. Appointment of Lokayukta or Upa-Lokayukta.—

[(2) A person to be appointed as the Lokayukta shall be a person who has held the office of a Judge of the Supreme Court, or of a Chief Justice of the High Court. A person to be appointed as the Upa-Lokayukta shall be a person who has held the office of a Judge of the High Court or is qualified to be appointed as a Judge of the High Court.]

9. Matters which may be investigated by Lokayukta or Upa-Lokayukta.—

(2) Notwithstanding anything contained in sub-section (1) or any other provisions of this Act, where any allegation of corruption against any public functionary or any grievance of mal-administration by any public functionary comes to the knowledge

or is brought to the notice of the Government, it may, if satisfied that it is necessary in public interest so to do, by order in writing refer such allegations of corruption or grievance of mal-administration or both to the Lokayukta for investigation and the Lokayukta, either himself or through the Upa-Lokayukta shall investigate the same as if it was a complaint presented under this Act.

10. Matters not subject to investigation.—

(1) Except as hereinafter provided, the Lokayukta shall not investigate:—

(i) any matter, in respect of which, a formal and public inquiry has been ordered with the prior concurrence of the Lokayukta;

(ii) any matter which has been referred for inquiry, under the Commission of Inquiry Act, 1952 (Central Act 60 of 1952);

(iii) any complaint involving an allegation of corruption made after the expiry of a period of five years from the date on which the matter or conduct complained against is alleged to have taken place:

Provided that the Lokayukta or Upa-Lokayukta, as the case may be, may entertain a complaint made after the expiry of the period specified in sub-clause (iii) above, if the complainant shows sufficient cause for not making the complaint within the said period:

Provided further that in respect of an investigation of a complaint involving allegations of corruption, once the complaint is entertained and is being investigated, nothing shall prevent the Lokayukta or Upa-Lokayukta from investigating and enquiring into acts of corruption which may pertain to any period prior to the said period of five years.

13. Procedure in respect of detail investigation.—

(1) Where the Lokayukta or Upa-Lokayukta, after making the preliminary inquiry under section 12; finds that there are reasonable grounds for conducting a detail investigation and proposes to conduct such an investigation under this Act, he shall forward a copy of the complaint, alongwith its enclosures to the public functionary and the competent authority concerned and proceed to make a detailed investigation.

16. Reports of Lokayukta.—

(1) (b) If, after investigation of any complaint involving a grievance, the Lokayukta or the

Upa-Lokayukta, is satisfied that in consequence of mal-administration by the public functionary, the complainant has sustained injustice or undue hardship, the Lokayukta or the Upa-Lokayukta, shall by a report in writing recommend to the public functionary and the competent authority concerned, that such injustice or undue hardship shall be remedied or redressed and as such report shall be acted upon as far as possible within 60 days and a report shall be sent to the Lokayukta or Upa-Lokayukta accordingly.

(2) The competent authority shall examine the report forwarded to it under sub-section (1), and within three months of the date of receipt of the report, intimate or cause to be intimated to the Lokayukta or Upa-Lokayukta, as the case may be, the action taken or proposed to be taken, on the basis of the report.

(3) If the Lokayukta or the Upa-Lokayukta, as the case may be, is satisfied with the action taken or proposed to be taken on his recommendation referred to in clause (a) of sub-section (1), he shall close the case under information to the complainant, if any, the public functionary and the competent authority concerned, but where he is not satisfied and if he considers that the case so deserves, he may make a special report upon the case to the Governor and also inform the competent authority concerned and the complainant, if any.

16A. Public functionary to vacate office.—

(3) If the declaration under sub-section (1) is not rejected within such period of three months, it shall be deemed to have been accepted by the Competent Authority, on the expiry of the said period of three months and the fact of such deemed acceptance of declaration shall immediately be intimated by the Lokayukta or the Upa-Lokayukta, as the case may be, to the Competent Authority and the public functionary concerned.

(4) If the declaration under sub-section (1) is in respect of a Chief Minister or a Minister, accepted or deemed to have been accepted by the Competent Authority, he may resign from his office.

(5) With effect from the date of intimation of acceptance or deemed acceptance of the declaration, notwithstanding anything contained in any law, order, notification, rule or contract of appointment, the public functionary,—

17. Initiation of Prosecution.—

If, after investigation into any complaint, the Lokayukta or Upa-Lokayukta, as the case may be, is

satisfied that the public functionary has committed a criminal offence and that he should be prosecuted in a court of law for such an offence, then he may pass an order to the effect and the appropriate authority shall initiate prosecution against the public functionary concerned:

Provided that if prior sanction of any authority is required under any law for the time being in force, for such prosecution, then, such prior sanction shall be obtained from such authority before initiation of such prosecution.

27. Pendency of case not to bar proceeding under this Act.—

The pendency of any civil or criminal case in the High Court or any Court subordinate thereto in respect of any allegation or grievance shall not bar the scrutiny, investigation or enquiry of or into that allegation under this Act, and no such scrutiny, investigation or enquiry shall be deemed to amount to contempt of such Court.

Provided that the Lokayukta or the Upa-Lokayukta, as the case may be, shall refrain from conducting further proceedings under this Act till the final disposal of such pending civil or criminal case in the High Court or any Court subordinate thereto and all further proceedings under this Act shall be subject to any order, judgement, directions, etc; that may be passed by the High Court or such subordinate court in such pending civil or criminal case.

Porvorim-Goa (DR. PRAMOD SAWANT)
Dated: 21-01-2021 Hon. Chief Minister/
Minister for Vigilance

Assembly Hall, (NAMRATA ULMAN)
Porvorim-Goa, Secretary to the Legislative
Dated: 21-01-2021 Assembly of Goa

LA/LEGN/2021/1949

The following bill which was introduced in the Legislative Assembly of the State of Goa on 27th January, 2021 is hereby published for general information in pursuance of Rule-138 of the Rules of Procedure and Conduct of Business of the Goa Legislative Assembly.

The Goa Staff Selection Commission
(Amendment) Bill, 2021

(Bill No. 8 of 2021)

A

BILL

*further to amend the Goa Staff Selection
Commission Act, 2019 (Goa Act 11 of 2019).*

BE it enacted by the Legislative Assembly of Goa in the Seventy second Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Goa Staff Selection Commission (Amendment) Act, 2021.

(2) It shall come into force at once.

2. *Amendment of section 7.*— In section 7 of the Goa Staff Selection Commission Act, 2019 (Goa Act 11 of 2019) after sub-section (7), the following sub-section shall be inserted, namely:—

"(8) Notwithstanding anything contained in this section, the Government Departments may, after obtaining prior approval from the Department of Personnel of the Government, conduct examinations for selecting candidates for appointment to sub-ordinate services/posts for a period of two years from the date of commencement of the Goa Staff Selection Commission (Amendment) Act, 2021."

Statement of Objects and Reasons

The Government has established Goa Staff Selection Commission and framed the Goa Staff Selection Commission Rules, 2020. However, the work of finalizing the regulations is under process. The Government had banned recruitment in Government Departments since 2016 and the Government had deferred recruitment up to November, 2020, which has led to large scale vacancies in Government Departments. Therefore, there

is a need to fill up the vacant posts on priority to strengthen the administrative machinery.

Considering the time required for finalizing the regulations, putting in place the required infrastructure for Staff Selection Commission and the requirement of sending the staff associated with the Commission for training in conducting mass scale recruitment, use of latest technology for transparent examination process among other similar initiatives, the recruitment through Staff Selection Commission will require some time.

In order to address the issue of shortage of critical manpower in various Departments, this Bill seeks to amend section 7 of the Goa Staff Selection Commission Act, 2019 (Goa Act 11 of 2019) so as to make enabling provision for the Government Departments to conduct examinations and select candidates for appointment to sub-ordinate services/posts after obtaining prior approval from the Department of Personnel, Government of Goa. The said provision will remain in force for a period of two years from the date of commencement of the Goa Staff Selection Commission (Amendment) Act, 2021.

Financial Memorandum

No financial implications are involved in this Bill.

Memorandum Regarding Delegated
Legislation

No delegated legislation is envisaged in this Bill.

Porvorim-Goa, Dr. PRAMOD SAWANT
25th January, 2021. Minister for Personnel/
/Chief Minister.

Assembly Hall, NAMRATA ULMAN
Porvorim, Goa. Secretary to the
25th January, 2021 Legislative Assembly of Goa.

ANNEXURE

LA/LEGN/2021/1950

Extract of Section 7 of the Goa Staff Selection Commission Act, 2019**7. Duties and functions of the Commission.—**

(1) Notwithstanding anything contained in any other law for the time being in force the Commission shall conduct examinations and select candidates for appointment to the sub-ordinate services/posts.

(2) The Commission shall perform such other functions and duties as the Government may, by notification, specify.

(3) The Commission shall conduct departmental examinations and advise the Government on such other matters as may be referred to it by the Government.

(4) Notwithstanding anything contained in any law and rules, regulations or, bye-laws framed thereunder and the condition of service, relating to the sub-ordinate services/posts, the Commission shall be the authority competent to conduct examinations for appointments to such sub-ordinate services/posts.

(5) On all matters relating to methods of recruitment to, or any other matter relating to, the sub-ordinate services/posts it shall be the duty of the Commission to advise on any matters so referred to by the Government Department.

(6) The Government may, however, make orders specifying the matters in which either generally or in any particular class of cases or in any particular circumstances, it shall not be necessary for the Commission to be consulted.

(7) In the case of any difference of opinion between the Commission and the Government Department, on any matter, the concerned Government Department shall refer such matter to the Government and the decision of the Government thereon shall be final.

Governor's Recommendation Under Article 207 of The Constitution of India

In pursuance of article 207 of the Constitution of India, I, Bhagat Singh Koshyari, the Governor of Goa hereby recommend the introduction and consideration of the **Goa Staff Selection Commission (Amendment) Bill, 2021**, by the Legislative Assembly of Goa.

(BHAGAT SINGH KOSHYARI)
Governor of Goa

The following bill which was introduced in the Legislative Assembly of the State of Goa on 27th January, 2021 is hereby published for general information in pursuance of Rule-138 of the Rules of Procedure and Conduct of Business of the Goa Legislative Assembly.

The Goa Municipalities (Amendment) Bill, 2021

(Bill No. 9 of 2021)

A

Bill

further to amend the Goa Municipalities Act, 1968 (Act 7 of 1969).

BE it enacted by the Legislative Assembly of Goa in the Seventy-second Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Goa Municipalities (Amendment) Act, 2021.

(2) It shall come into force at once.

2. *Amendment of section 2.*— In section 2 of the Goa Municipalities Act, 1968 (Act 7 of 1969) (hereinafter referred to as the "principal Act"), clause (55a) shall be re-numbered as clause (55b) and before clause (55b) as re-numbered, the following clause shall be inserted, namely;—

"(55a) "Voters" means all the voters whose names are entered in the list of voters prepared and maintained under section 11."

3. *Amendment of section 9.*— In section 9 of the principal Act, in sub-section (2), in clause (a),—

(i) in item (i),—

(a) for the figures "15" and "3000", the figures "20" and "2,500" shall be respectively substituted;

(b) for the word "population", the words "voters in the municipal area" shall be substituted;

(ii) in item (ii),-

(a) for the figures "10" and "3,000", the figures "12" and "2,500" shall be respectively substituted;

(b) for the word "population", the words "voters in the municipal area" shall be substituted.

3. *Amendment of section 10.*— In section 10 of the principal Act, in sub-section (1), the following proviso shall be inserted, namely:-

"Provided that such order shall be issued at least seven days before the date of notification of the general election".

4. *Amendment of section 11.*— In section 11 of the principal Act.-

(i) in sub-section (1), for the expression, "Goa Daman and Diu Legislative Assembly", the expression "Legislative Assembly of the State of Goa" shall be substituted;

(ii) in sub-section (3), for the words "one month", the words "ten days" shall be substituted.

Statement of Objects and Reasons

The Bill seeks to amend section 2 of the Goa Municipalities Act, 1968 (Act 7 of 1969) (hereinafter referred to as the "said Act") so as to define the term "voters" for the purpose of the said Act.

The Bill further seeks to amend section 9 of the said Act so as to ensure fair elections with proper representation for the people from all the wards in accordance with updated list of voters in the municipal areas.

The Bill also seeks to amend section 10 of the said Act so as to prescribe the time period between the date of notification of delimitation of wards and reservation of seats and the date of notification of the general election.

The Bill seeks to amend section 11 of the said Act to replace the expression "Goa Daman and Diu Legislative Assembly" with the expression "Legislative Assembly of the State of Goa" in view of formation of the State of Goa by virtue of enactment of The Goa, Daman and Diu Reorganisation Act, 1987 (Act No. 18 of 1987) and to provide the minimum time period for keeping open the copies of the list of voters of each ward for public inspection at the municipal office and at such other places in the municipal area as the State Election Commission may fix.

This Bill seeks to achieve the above objects.

Financial Memorandum

On account of increase in the number of Councillors in five "B" Class Municipal areas, there will be financial implications to the extent of payment of honorarium to the additional Councillors.

Memorandum Regarding Delegated Legislation

No delegated legislation is involved in this Bill.

Porvorim-Goa
January, 2021

(MILIND NAIK)
Minister for Urban
Development

Assembly Hall,
Porvorim-Goa
January, 2021

(NAMRATA ULMAN)
Secretary to the Legislative
Assembly of Goa

Governor's Recommendation under article 207 of the Constitution of India

In pursuance of Article 207 of the Constitution of India, I, Bhagat Singh Koshyari, Governor of Goa, hereby recommend the introduction and consideration of The Goa Municipalities (Amendment) Bill, 2021 by the Legislative Assembly of Goa.

ANNEXURE

**Extracts of Section 2, 9, 10 and 11 of the Goa
 Municipalities Act, 1968 (Act 7 of 1969)**

2. *Definitions.* — In this Act, unless the context otherwise requires,—

(1) "Administrative Tribunal" means the Administrative Tribunal constituted under the Goa, Administrative Tribunal Act, 1965;

(1A) "Appellate Tribunal" means as Appellate Tribunal constituted under section 184 B.

(2) "appointed day", in relation to an area, means the date on which the relevant provisions of this Act come into force in that area;

(3) "building" includes a house, out-house, stable, shed, hut and other enclosure or structure, whether of masonry, bricks, wood, mud, metal or any other material whatever, whether used as a human dwelling or otherwise, and also includes verandahs, fixed platforms, plinths, door steps, walls, (including compound walls) and fencing and the like;

(4) "bye-law" means a bye-law made or deemed to be made by the Council under this Act;

(5) "Cess-pool" includes a tank for the reception or disposal of foul matter from buildings;

(5a) "Chairperson" and "Vice-Chairperson" means Chairperson and Vice-Chairperson of the Council as the case may be;

(6) "Chief Officer" means the person appointed or deemed to be appointed under this Act to be the Chief Officer of a municipal area;

(7) "Collector" means the Collector of North Goa District and that of South Goa District and also includes the Additional Collector of North Goa District and South Goa District, respectively;

(8) "Council" means a Municipal Council constituted or deemed to be constituted under this Act for a municipal area;

(9) "Councillor" means a person who is duly elected as a member of the Council;

(10) "dairy" includes any farm, cattle-shed, cow-house, milk-store, milk-shop or other place from which milk is supplied for sale, or in which milk is kept for purposes of sale or manufactured into butter, ghee, cheese, curds, dried, sterilized or condensed or toned milk, but does not include—

(A) a shop or other place in which milk is sold for consumption on the premises only, or

(B) a shop or other place from which milk is sold or supplied in hermetically closed and unopened receptacles in the same original condition in which it was first received in such shop or other place;

(10a) "Development Committee" means the Development Committee constituted under section 322 B;

(11) "Director" means the person appointed by the Government to be the Director of Urban Development;

(11a) 'District' means a district in the State of Goa;

(12) "drain" includes a sewer, tunnel, pipe, ditch, gutter or channel and any cistern, flush-tank, septic tank, or other device for carrying off or treating sewage, offensive matter, polluted water, sullage, waste water, rain water or sub-soil water and any culvert, ventilation shaft or pipe or other appliance or fitting connected therewith, and any ejectors, compressed air mains, sealed sewage mains and special machinery or apparatus for raising, collecting, expelling or removing sewage or offensive matter from any place;

(13) "eating house" means any premises to which the public or any section of the public are admitted and where any kind of food is prepared or supplied for consumption on the premises or elsewhere for the profit or gain of any person owning or having an interest in or managing such premises;

(14) "election" means an election to a Council, and includes a bye-election;

(15) "factory" means a factory as defined in the Factories Act, 1948; LXIII of 1948.

(16) "filth" includes sewage, night-soil and all offensive matter;

(17) "food" includes every article used as food or drink for human consumption other than drugs or water, and any article which ordinarily enters into or is used in the composition or preparation of human food, and also includes confectionary, flavouring and coloring matters and spices and condiments;

(18) "goods" includes animals;

(19) "Government" means the Government of Goa 15;

(20) "house-drain" means any drain of, and used for the drainage of, one or more buildings or

premises and made merely for the purpose of communicating therefrom with a municipal drain;

(21) "house-gully" or "service passage," means a passage or strip of land constructed, set apart or utilized for the purpose of serving as a drain or of affording access to a privy, urinal, cesspool or other receptacle for filthy or polluted matter, to servants of the Council or to persons employed in the cleansing thereof or in the removal of such matter there from;

(22) "land" includes land which is being built upon or is built upon or covered with water, benefits to arise out of land, things attached to the earth or permanently fastened to anything attached to the earth and rights created by legislative enactment over any street;

(23) "local authority" means a municipality or village panchayat, as the case may be, constituted under any law for the time being in force in the State of Goa;

(24) "lodging house" means a building or part of a building where lodging with or without board or other service is provided for a monetary consideration, and includes a lodging house for pilgrims whether lodging is provided for or without any monetary consideration;

(25) "market" includes any place where persons assemble for the sale of, or for the purpose of exposing for sale, live-stock or food for live-stock or meat, fish, fruit, vegetables, drinks, animals intended for human food or any other articles of human food whatsoever with or without the consent of the owner of such place, notwithstanding that there may be no common regulation of the concourse of buyers and sellers and whether or not any control is exercised over the business of or the persons frequenting the market by the owner of the place or any other person;

(26) "milk" includes cream, skimmed milk, separated milk and condensed, sterilized, desiccated or toned milk;

(27) "municipal area" means any local area declared or deemed to be declared as municipal area by or under this Act;

(28) "municipal market" or "municipal slaughter-house" means a market or a slaughter-house, as the case may be, which belongs to or is maintained by the Council;

(29) "nuisance" includes any act, omission, place or thing which causes or is likely to cause injury,

danger, annoyance or offence to the sense of sight, smell or hearing or which is or may be dangerous to life or injurious to health or property;

(30) "occupier" includes—

(a) any person who for the time being is paying or is liable to pay to the owner the rent or any portion of the rent of the land or building in respect of which such rent is paid or is payable,

(b) an owner living in or otherwise using his land or building,

(c) a rent-free tenant,

(d) a licensee in occupation of any land, or building, and

(e) any person who is liable to pay to the owner damages for the use and occupation of any land or building;

(31) "octroi" means a tax on the entry of goods into a municipal area for consumption, use or sale therein;

(32) "offensive matter" includes animal carcasses, dung, dirt and putrid or putrifying substances other than sewage;

(33) "officer or servant of the Council" means an officer or servant appointed by the Government or the Council or any other competent authority subordinate to it, and includes any Government Officer or servant, who is for the time being serving under the Council and the classification of posts of officers or servants of Council as Group A, Group B, Group C and Group D posts will have the meaning as assigned by the Government for equivalent posts in Government Departments;

(34) "official year" or "financial year" means the year commencing on the first day of April;

(35) "owner" means,—

(a) when used with reference to any premises, the person who receives the rent of the said premises, or who would be entitled to receive the rent thereof if the premises were let, and includes —

(i) an agent or trustee who receives such rent on account of the owner;

(ii) an agent or trustee who receives the rent of, or is entrusted with or concerned for, any premises devoted to religious or charitable purposes;

(iii) a receiver, sequestrator or manager appointed by any Court of competent jurisdiction to have the charge of, or to exercise the rights of an owner of, the said premises; and

(iv) a mortgagee-in-possession; and

(b) when used with reference to any animal, vehicle or boat, includes the person for the time being in charge of the animal, vehicle or boat;

(36) "population" means the population as ascertained at the last preceding Census of which the relevant figures have been published, but where figures of Census are not available, the population shall be ascertained from other relevant authenticated records maintained by the Government.

(37) "premises" includes messages, buildings and lands of any tenure, whether open or enclosed, whether built on or not and whether public or private;

(38) "prescribed" means prescribed by rules;

(39) []

(40) "private market" means a market which is not a municipal market, but does not include a market established for the purposes of any law for the time being in force regulating the marketing of agricultural and other produce in such markets;

(41) "private slaughter-house" means a slaughter-house which is not a municipal slaughter-house;

(42) "private street" means a street which is not a public street;

(43) "privy" means a place set apart for defecating or urinating or both, together with the structure comprising such place, the receptacle therein for human excreta and the fittings and apparatus, if any, connected therewith, and includes a closet of the dry type, and aqua privy, a latrine and a urinal;

(44) "public place" includes any public park or garden or any ground to which the public have or are permitted to have access;

(45) "public securities" means—

(a) securities of the Central Government and of any State Government;

(b) securities, stocks, debentures or shares the interest whereon has been guaranteed by the Central or State Government;

(c) debentures or other securities for money issued by or on behalf of any local authority in exercise of powers conferred by any enactment for the time being in force in any part of the territory of India; or

(d) securities expressly authorized by an order which the Government makes in this behalf;

(46) "public street" means any street—

(a) over which the public have a right of way;

(b) heretofore levelled, paved, metalled, channeled, sewerred, or repaired out of municipal or other public funds; or

(c) which under the provisions of this Act becomes, or is declared, a public street;

(47) "rubbis" includes dust, ashes, broken bricks, mortar, broken glass, garden or stable refuse and refuse of any kind which is not offensive matter or sewage;

(48) "Rules" means rules made by the Government under this Act;

(49) "Scheduled Castes" means such castes, races or tribes or parts of, or groups within, such castes, races or tribes as are deemed to be Scheduled Castes in relation to the State of Goa under article 341 of the Constitution of India;

(50) "Scheduled Tribes" means such tribes or tribal communities or parts of, or groups within, such tribes or tribal communities, as are deemed to be Scheduled Tribes in relation to the State of Goa under article 342 of the Constitution of India;

(51) "sewage" means night-soil and other contents of water closets, latrines, privies, urinals, cesspools or drains and polluted water from sinks, bath-rooms, stables, cattlesheds and other like places, and includes trade effluent and discharges from manufactories of all kinds;

(51a) "State" means the State of Goa

(51b) 'State Election Commission' means the State Election Commission constituted under the section 237 of the Goa Panchayat Raj Act, 1994 (Goa Act 14 of 1994).

(52) "street" means any road, foot-way, square, court-alley, or passage, accessible whether permanently or temporarily to the public, whether a thoroughfare or not; and shall include every vacant space, notwithstanding that it may be private property and partly or wholly obstructed by any gate, post, chain or other barrier, if houses, shops or

other buildings abut thereon and if it is used by any persons as a means of access to or from any public place or thoroughfare, whether such persons be occupiers of such buildings or not, but shall not include any part of such space which the occupier of any such building has a right at all hours to prevent all other persons from using as aforesaid;

(53) "total number of Councillors", in relation to a Council, means the total number of elected councillors

(54) []

(55) "vehicle" includes a carriage, cart, van, dray, truck, hand-cart, bicycle, tricycle, motor-car, and every wheeled conveyance which is used or is capable of being used on a street;

(55a) "Ward" mean the territorial constituency of the municipal area;

(56) "water closet" means a closet which has a separate fixed receptacle connected to a drainage system and separate provision for flushing from a supply of clean water either by the operation of mechanism or by automatic action;

(57) "water-connection" includes—

(a) any tank, cistern, hydrant, stand-pipe, meter or tap situated on a private property and connected with a water-main or pipe belonging to the Council; and

(b) the water-pipe connecting such tank, cistern, hydrant, stand-pipe, meter or tap with such water-main or pipe;

"water work" includes a lake, stream, spring, well, pump, reservoir, cistern, tank, duct, whether covered or open, sluice, main-pipe, culvert, engine, water truck, hydrant, stand-pipe, conduit, and machinery, land, building or thing for supplying or used for supplying water or for protecting sources of water supply.

9. *Composition of Councils.*— (1) Save as otherwise provided by this Act, every Council shall consist of Councillors elected at ward elections;

Provided that—

(1) in every Council, no less than (1/3) seats shall be reserved for women;

(2) in every Council, seat shall also be reserved for Scheduled Caste, Scheduled Tribes and Other Backward Class and for woman belonging to Scheduled Caste, as the case may be, the Scheduled Tribes and Other Backward Class as provided in sub-section (2).

The Director shall from time to time by an order published in the Official Gazette fix for each municipal area—

(a) the number of elected Councillors in accordance with the following table:

Class of Municipal area	Number of elected Councillors
(i) 'A' Class	The minimum number of elected Councillors shall be 15, and for every 3,000 of the population or part thereof above 50,000 there shall be one additional elected Councillor, so, however, that the total number of elected Councillors shall not exceed 25;
(ii) 'B' Class	The minimum number of elected Councillor shall be 10, and for every 3,000 of the population or part thereof above 10,000 there shall be one additional elected Councillor, so, however, that the total number of elected Councillors shall not exceed 20;
(iii) the figure in (i) and (ii) shall be odd, if possible	
(iv) 'C' Class	The number of elected Councillors shall be 10.

(b) the number of seats, if any, to be reserved for the Scheduled Castes or Scheduled Tribes so that such number shall bear, as nearly as may be, the same proportion to the number of elected Councillors as the population of the Scheduled Castes, or the Scheduled Tribes in the municipal area bears to the total population of that area and not less than one-third of such seats shall be reserved for women and such seats shall be allotted by rotation to different wards in the Council.

(bb) the number of seats, if any, to be reserved for persons belonging to the category of Other Backward Classes so that such number shall be twenty seven percent of the number of seats to be filled in through election in the Council and such seats shall be allotted by rotation to different wards in the Council.

(c) the number of seats for the office of Chairperson in the Council for Scheduled Castes, the Scheduled Tribes and women so that such number will bear as nearly as may be, the same

proportion to the number of elected Councillors as the population of the scheduled Castes, Scheduled Tribes in the municipal area bears to the total population of that area and such seats shall be allotted by rotation to different constituencies in a Council.

The reservation of seats for Scheduled Castes and Scheduled Tribes made by an order under sub-section (2) shall cease to have effect when the reservation of seats for those Castes and Tribes in the House of the People ceases to have effect under the Constitution of India:

Provided that nothing in this sub-section shall render any person elected to any such reserved seat ineligible to continue as a Councillor during the term of office for which he was duly elected by reason only of the fact that the reservation of seats has so ceased to have effect.

(4) Every order under sub-section (2) shall take effect for the purposes of the next general election of the Council immediately following after the date of the order.

(5) []

10. Division of municipal area into wards and reservation of wards for women, [Scheduled Castes, Scheduled Tribes and Other Backward Class.— (1) The Director shall from time to time by order published in the Official Gazette, fix for each municipal area the number and the extent of the wards into which such area shall be divided. The Director shall specify in the order the ward in which a seat is reserved for women but in so doing he shall ensure that such a seat its reserved from time to time by rotation in different wards of the municipal area. He shall by a like order specify the wards in which seats are reserved for Scheduled Castes, Scheduled Tribes or the Other Backward Class, including the seats for offices of Chairperson having regard to the concentration of population of those Castes, or Tribes, or as the case may be, of those class, in any particular wards.

(2) Each of the wards shall elect only one Councillor.

(3) Every order issued under sub-section (1) shall take effect for the purpose of the next general election immediately following the date of such order.

Nothing in this section shall be deemed to prevent women or persons belonging to the Scheduled Castes, Scheduled Tribes or Other Backward Class for whom seats are reserved in any

Council, from standing for election and being elected to any of the seats which are not reserved.

11. *List of voters.*— (1) The electoral roll of the Goa, Daman and Diu Legislative Assembly prepared under the provisions of the Representation of the People Act, 1950, and for the time being in force on such date as the State Election Commission may by general or special order notify in this behalf (being a date not earlier than one month from such notification) for such constituency of the Assembly or any part thereof as is included in the municipal area, shall be divided into different sections corresponding to the different wards in the municipal area; and a printed copy of each section of the roll so divided and authenticated by such officer shall be the list of voters for each ward. The ward lists shall collectively be deemed to be the municipal voters' list.

(2) Such officer shall maintain the lists of voters prepared under sub-section (1) and the lists so maintained shall be deemed to be the authentic lists for all elections under this Act.

(3) At least one month before the last date fixed for nomination of candidates for every general election, such officer shall keep open for public inspection at the municipal office and at such other places in the municipal area as the State Election Commission may fix, copies of the list of voters of each ward maintained under sub-section (2).

LA/LEGN/2021/1951

The following bill which was introduced in the Legislative Assembly of the State of Goa on 27th January, 2021 is hereby published for general information in pursuance of Rule-138 of the Rules of Procedure and Conduct of Business of the Goa Legislative Assembly.

The Goa Non-Biodegradable Garbage (Control) (Amendment) Bill, 2021

(Bill No. 10 of 2021)

A

Bill

further to amend the Goa Non-Biodegradable Garbage (Control) Act, 1996 (Goa Act 5 of 1997).

BE it enacted by the Legislative Assembly of Goa in the Seventy-second Year of the Republic of India as follows:-

1. *Short title and commencement.*— (1) This Act may be called the Goa Non-Biodegradable Garbage (Control) (Amendment) Act, 2021.

(2) It shall be deemed to have come into force on the 9th day of October, 2020.

2. *Amendment of section 2.*— In section 2 of the Goa Non-Biodegradable Garbage (Control) Act, 1996 (Goa Act 5 of 1997) (hereinafter referred to as the "principal Act"),—

(i) after clause (aa), the following clause shall be inserted, namely:—

"(ab) "consideration" means "consideration" as defined in clause (31) of section 2 of the Goa Goods and Services Tax Act, 2017 (Goa Act 4 of 2017);"

(ii) after clause (g), the following clause shall be inserted, namely:—

"(ga) "outward supply" means "outward supply" as defined in clause (83) of section 2 of the Goa Goods and Service Tax Act, 2017 (Goa Act 4 of 2017);".

3. *Amendment of section 7.*— In section 7 of the principal Act, in clause (i), for the expression "two percent of "sale price" as defined in clause (ad) of section 2 of the Goa Value Added Tax Act, 2005 (Goa Act 9 of 2005) of such items", the expression "two percent of consideration received on outward supply of goods" shall be substituted.

4. *Repeal and savings.*— (1) The Goa Non-Biodegradable Garbage (Control) (Amendment) Ordinance, 2020 (Ordinance No. 11 of 2020) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act.

Statement of Objects and Reasons

The Bill seeks to amend sections 2 and 7 of the Goa Non-Biodegradable Garbage (Control) Act, 1996 (Goa Act 5 of 1997), so as to provide for levy of cess at the rate not exceeding two percent of consideration received on outward supply of goods. This amendment was needed in view of enactment of the Goa Goods and Services Tax Act, 2017 (Goa Act 4 of 2017) in the State of Goa.

The Bill also seeks to repeal the Goa Non-Biodegradable Garbage (Control) (Amendment) Ordinance, 2020 (Ordinance No. 11 of 2020) promulgated by the Governor of Goa on 09-10-2020.

This Bill seeks to achieve the above objects.

Financial Memorandum

No financial implications are involved in this Bill. However, it may generate additional revenue to the Government by way of imposition of cess.

Memorandum Regarding Delegated Legislation

No delegated legislation is envisaged in this Bill.

Governor's Recommendation under article 207 of the Constitution of India

In pursuance of article 207 of the Constitution of India, I, Bhagat Singh Koshyari, Governor of Goa, hereby recommend the introduction and consideration of the Goa Non-Biodegradable Garbage (Control) (Amendment) Bill, 2021 by the Legislative Assembly of Goa.

Porvorim, Goa
15-01-2021

NILESH CABRAL
Minister for Environment

Assembly Hall,
Porvorim, Goa
15-01-2021

NAMRATA ULMAN
Secretary to the Legislative
Assembly of Goa

ANNEXURE

Extracts from The Goa Non-biodegradable Garbage (Control) Act, 1996 (Goa Act 5 of 1997) with Amendments

2. *Definitions.*— In this Act, unless the context otherwise requires,-

(a) “bio-degradable garbage” means the garbage or waste materials capable of being destroyed by the action of living beings;

(aa) “commercial establishment” means an establishment used for commercial purposes, such as, bars, shacks, restaurants, private offices, fitness clubs, retail stores, banks, financial institutions, supermarkets, auto and boat dealerships, etc. and other such establishments;

(b) “house gully” means a passage or strip of land constructed, set apart or utilised for the purpose of serving as or carrying a drain or affording access to the latrine, urinals, cesspool or other receptacle for filth or other polluted matter, by persons employed in the clearing thereof in the removal of such matter therefrom;

(ba) “inert waste” means waste which is neither chemically nor biologically reactive and will not decompose;

(c) “local authority” means (a Municipal Corporation, a Municipal Council)¹, a Zilla Panchayat or a Panchayat constituted, or continued, under any law for the time being in force;

(d) “market” includes any place where persons assemble for exposing for sale, meat, fish, fruits, vegetables, food or any other articles for human use or consumption with or without the consent of the owner of such place notwithstanding that there may be no common regulation for the concourse of the buyers and the sellers and whether or not any control is exercised over the business of or the person frequenting, the market by the Owner of the place or by any other persons;

(e) “non-biodegradable garbage” means the waste garbage or material which is not bio-degradable garbage and includes polyethylene, nylon, and other plastic goods such as P.V.C. polypropylene and polystyrene which are not capable of being destroyed by an action of living beings and are more specifically included in the schedule to this Act;

(f) “occupier” includes :-

(i) any person who for the time being is paying or is liable to pay to the owner the rent or any portion of the rent of the land or building in respect of which such rent is paid or is payable;

(ii) an owner in occupation of or otherwise using his land or building;

(iii) a rent free tenant of any land or building;

(iv) any person who is liable to pay to the owner damages for the use and occupation of any land or building;(and)⁴

(v) any person who is in charge of any place owned by the Central or State Government, Government Company or Corporation, or any place where exhibitions and other events are organised;

(g) “Official Gazette” means the Official Gazette of the Government;

(h) “owner” includes a person who for the time being is receiving or is entitled to receive, the rent of any land or building, whether or his own account or on account of himself and others or an agent, trustee, guardian or receiver for any other or who should so receive the rent or be entitled to receive it if the land or building or part thereof were let to a tenant;

(i) “place” means any land or building or part of a building and includes the garden, ground and outhouses, if any, pertaining to a building or part of a building;

(j) “place open to public view” includes any private place, building, monument, fence or balcony visible to a person being in, or passing along, any public place;

(k) “prescribed” means prescribed by rules made under this Act;

(l) “Public Analyst” means the person appointed or recognised to be the Government Analyst, in relation to any environmental laboratory established or recognised in the State under the provisions of the Environment (Protection) Act, 1986 (Central Act 29 of 1986).

(m) “public place” means any place which is open to use and enjoyment of the public whether it is actually used or enjoyed by the public or not

and includes a road, street, market, house-gully or way, whether a throughfare or not, and landing place to which public are granted access or have a right to resort or over which they have a right to pass; and

(n) "State Government" means the Government of Goa;

(o) "plastic" means material which contains as an essential ingredient a high polymer such as polyethylene (PE), polycarbonates (PC), high density polyethylene, vinyl, low density polyethylene, polypropylene, polystyrene (PS Styrofoam/Thermocol) resins, multi-materials like Acrylonitrile Butadiene Styrene (ABS), Polyphenylene Oxide, Polycarbonate, Polyvinyl Chloride, Acetal, Acrylic, Cellulose Acetate, Cellulose Acetate Butyrate, Nylon, Polybutylene terephthalate and shall also include Non Woven Polypropylene, Multilayered co extruder Polyterephthalate (PT), Polyamindes, Polymethylmethacrylate, Plastic microbeads.

(p) "plastic carry bags" means bags made from plastic material or compostable plastic material, with or without handles used for the purpose of carrying or dispensing commodities but do not include bags that constitute or form an integral part of the packaging in which goods are sealed prior to use;

(q) "Styrofoam" is a type of expanded polystyrene used especially for making food containers and packing materials.

7. Studies, research and support programme.—
The State Government may-

(a) undertake studies to determine the composition of bio-degradable or non-biodegradable garbage;

(b) establish measures to conduct or support research or programmes to encourage source reduction, re-use and recycling of waste;

(c) conduct or support studies to determine the social and economic feasibility of household and other solid waste separation schemes, including studies of the type and amount of recyclable materials in solid wastes;

(d) encourage local authorities in the State to provide readily accessible solid waste collection depots for residents who are not provided with regular garbage pick-up;

(e) undertake and encourage, local authorities and other persons to implement policies to recycle waste materials, to promote energy conservation and to purchase products made from recyclable materials;

(f) conduct and support research on recycling including information on operating recycling business and market information on recyclables;

(g) conduct and support research on waste management and recycling, for use in educating the public, local authorities, institutions and industry; and

(h) impose requirements on manufacturers, distributors and other persons who produce or handle commodities with respect to the type, size, packaging, labelling and composition of packaging that may or must be used and with respect to the disposal of packaging including standards for material degradability and recyclability.

(i) levy a cess at such rates as may be determined by the Government from time to time, by notification in the Official Gazette but not exceeding two percent of "sale price" as defined in clause (ad) of section 2 of the Goa Value Added Tax Act, 2005 (Goa Act 9 of 2005) of such items, marketed in non-biodegradable packaging material, including bottles and containers, as may be mentioned in such notification, which shall be utilized for implementation of solid waste management schemes including segregation, collection, safe disposal and re-cycling of non-biodegradable waste material and also to promote the sale and use of biodegradable packaging material, bags and containers.

(j) specify by notification in the Official Gazette the manner of assessment, levy and collection of cess under clause (i).

LA/LEGN/2021/1957

The following bill which was introduced in the Legislative Assembly of the State of Goa on 28th January, 2021 is hereby published for general information in pursuance of Rule-138 of the Rules of Procedure and Conduct of Business of the Goa Legislative Assembly.

The Goa Appropriation Bill, 2021

(Bill No. 1 of 2021)

A

BILL

to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Goa for the services and purposes of the financial year 2020-21.

Be it enacted by the Legislative Assembly of Goa in the Seventy Second Year of the Republic of India, as follows:—

1. *Short title.*— This Act may be called the Goa Appropriation Act, 2021.

2. *Issue of Rs. 774,47,65,000/- out of the Consolidated Fund of the State of Goa for the financial year 2020-21.*— From and out of the Consolidated Fund of the State of Goa, there may be paid and applied sums not exceeding those specified in column (5) of the Schedule hereto amounting in the aggregate to the sums of seven hundred seventy four crore, forty seven lakh sixty five thousand rupees towards defraying the several charges which will come in the course of payment during the financial year 2020-21 in respect of the services and for purposes specified in column (2) of the said Schedule.

3. *Appropriation.*— The sums authorised to be paid and applied from and out of the Consolidated Fund of the State of Goa under this Act, shall be appropriated for the services and purposes expressed in the said Schedule to this Act in relation to the said financial year.

SCHEDULE

(See sections 2 and 3)

(Rs in lakhs)

Demand No.	Services and purposes	Sums not exceeding		Total
		Voted by Assembly	Charged on the Consolidated Fund of the State of Goa	
(1)	(2)	(3)	(4)	(5)
01	Legislature Secretariat	500.00	-	500.00
A1	Raj Bhavan (Charged)	-	22.24	22.24
02	General Administration and Coordination	150.00	-	150.00
A3	Goa Public Service Commission (Charged)	-	100.00	100.00

(1)	(2)	(3)	(4)	(5)
16	Collectorate, South Goa	1710.00	-	1710.00
17	Police	678.00	-	678.00
21	Public Works	0.03	557.76	557.79
25	Home Guards and Civil Defence	380.00	-	380.00
32	Finance	10.00	-	10.00
33	Revenue	739.64	-	739.64
41	Goa Architecture College	100.00	-	100.00
43	Art and Culture	100.00	-	100.00
47	Goa Medical College	28050.00	-	28050.00
48	Health Services	12764.80	-	12764.80
51	Goa Dental College	242.00	-	242.00
53	Foods and Drugs Administration	176.11	-	176.11
55	Municipal Administration	19224.20	-	19224.20
57	Social Welfare	1000.00	-	1000.00
58	Women and Child Development	5059.10	-	5059.10
61	Skill Development and Entrepreneurship	32.00	-	32.00
62	Law	134.00	-	134.00
64	Agriculture	1705.35	-	1705.35
68	Forests	68.82	-	68.82
70	Civil Supplies	1392.60	-	1392.60
72	Science and Technology	1.00	-	1.00
74	Water Resources	50.00	-	50.00
78	Tourism	1500.00	-	1500.00
84	Civil Aviation	1000.00	-	1000.00
TOTAL		76767.65	680.00	77447.65

Statement of Objects and Reasons

The Supplementary Demands for Grants for the year 2020-21 (Second Batch) was presented to the Legislative Assembly. This Bill is introduced in pursuance of Article 204 read with Article 205 of the Constitution of India to provide for appropriation of certain further sums from and out of the Consolidated Fund of the State of

Goa, to meet the expenditure on certain services, granted by the Legislative Assembly for those services, during the financial year 2020-21.

Porvorim, Goa
28th January, 2021.

Dr. PRAMOD SAWANT
Finance Minister/Chief Minister

Assembly Hall,
Porvorim, Goa.
28th January, 2021.

NAMRATA ULMAN
Secretary to the
Legislative Assembly of Goa.

Governor's Recommendation under Article 207 of the
Constitution of India

In pursuance of Article 207 of the Constitution of India, I, Bhagat Singh Koshiyari, Governor of Goa, hereby recommend the introduction and consideration of the Goa Appropriation Bill, 2021, by the Legislative Assembly of Goa.

LA/LEGN/2021/1958

The following bill which was introduced in the Legislative Assembly of the State of Goa on 28th January, 2021 is hereby published for general information in pursuance of Rule-138 of the Rules of Procedure and Conduct of Business of the Goa Legislative Assembly.

The Goa Fiscal Responsibility and Budget
Management (Amendment) Bill, 2021

(Bill No. 11 of 2021)

A
Bill

further to amend the Goa Fiscal Responsibility and Budget Management Act, 2006 (Goa Act 12 of 2006).

BE it enacted by the Legislative Assembly of Goa in the Seventy-second Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Goa Fiscal Responsibility and Budget Management (Amendment) Act, 2021.

(2) It shall be deemed to have come into force on the 1st day of June, 2020.

2. *Amendment of section 5.*— In section 5 of the Goa Fiscal Responsibility and Budget Management Act, 2006 (Goa Act 12 of 2006), in clause (b), the following proviso shall be inserted, namely:—

“Provided that for the financial year 2020-21, additional fiscal deficit of 2% over and above 3% of the Gross State Domestic Product (upto 5% of GSDP) shall be permissible;”

3. *Repeal and saving.*— (1) The Goa Fiscal Responsibility and Budget Management (Second Amendment) Ordinance, 2020 (Ordinance No. 12 of 2020) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the said Goa Act 12 of 2006, as amended by the said Ordinance, shall be deemed to have been done or taken under the said Act 2006, as amended by this Act.

Statement of Objects and Reasons

In order to augment the State revenue sources, the Government of India has allowed additional borrowing subject to amendment to State Fiscal Responsibility and Budget Management Act.

The Goa Fiscal Responsibility and Budget Management (Second Amendment)

Ordinance, 2020 (Ordinance No. 12 of 2020) was promulgated by the Governor of Goa on 3rd day of November, 2020 so as to augment the State revenue sources by raising additional borrowing as permitted by the Government of India, by suitably amending section 5 of the Goa Fiscal Responsibility and Budget Management Act, 2006 (Goa Act 12 of 2006).

This Bill seeks to amend said section 5 of the said Act, 2006 and repeal the Goa Fiscal Responsibility and Budget Management (Second Amendment) Ordinance, 2020 (Ordinance No. 12 of 2020) promulgated by the Governor of Goa on 03-11-2020.

This Bill seeks to achieve the above objects.

Financial Memorandum

As per the Goa Fiscal Responsibility and Budget Management Act, 2006, the State of Goa was permitted to raise borrowing of 3% to Gross State Domestic Product however after amendment to said Act, an additional 2% (overall 5%) borrowing space was made available for the State of Goa for the financial year 2020-21 for development of the State.

Memorandum Regarding Delegated Legislation

No delegated legislation is envisaged in this Bill.

Porvorim – Goa
22-01-2021

Dr. PRAMOD SAWANT
Chief Minister/
Minister For Finance

Assembly Hall
Porvorim – Goa
22-01-2021

NAMRATA ULMAN
Secretary
Goa Legislature
Secretariat

Governor's Recommendation under article 207 of the Constitution of India

In pursuance of article 207 of the Constitution of India, I Bhagat Singh Koshyari, the Governor of Goa, hereby recommend the introduction and consideration of the Goa Fiscal Responsibility and Budget

Management (Amendment) Bill, 2021, by the Legislative Assembly of Goa.

(BHAGAT SINGH KOSHYARI)
Governor

Place: Raj Bhavan
Dated: 25-01-2021

LA/LEGN/2021/1959

The following bill which was introduced in the Legislative Assembly of the State of Goa on 28th January, 2021 is hereby published for general information in pursuance of Rule-138 of the Rules of Procedure and Conduct of Business of the Goa Legislative Assembly.

The Goa Land Revenue Code (Amendment) Bill, 2021

(Bill No. 12 of 2021)

A

BILL

further to amend the Goa Land Revenue Code, 1968 (Act No. 9 of 1969).

BE it enacted by the Legislative Assembly of Goa in the Seventy-second Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Goa Land Revenue Code (Amendment) Act, 2021.

(2) It shall come into force on such date as the Government may, by Notification in the Official Gazette, appoint.

2. *Amendment of section 30.*— In section 30 of the Goa Land Revenue Code, 1968 (Act No. 9 of 1969) (hereinafter referred to as the "principal Act"), the following proviso shall be inserted, namely:—

"Provided that the provisions of this section shall not be applicable to the land in occupation of the Government, Corporation of the City of Panaji, a Municipal Council or a Village Panchayat and land to be used for installation of solar or wind power station."

3. *Amendment of section 32.*— In section 32 of the principal Act, in sub-section (6A), for the word "amend", the expression "add to, or omit from, or otherwise amend" shall be substituted.

4. *Amendment of section 173.*— In section 173 of the principal Act, for sub-section (1), the following sub-section shall be substituted, namely:—

"(1) Subject to the provisions of this Code and the rules made thereunder every notice under this Code may be served either by tendering or delivering a copy thereof, or sending such copy by post or electronically or in any other manner as prescribed, to the person on whom it is to be served, or his authorized agent or, if service in the manner aforesaid cannot be made, by affixing or displaying a copy thereof at his last known place of residence or at some place of public resort in the village in which the land to which the notice relates is situated, or on such website as may be specified by the Government by a notification in the Official Gazette."

Statement of Objects and Reasons

The Bill seeks to amend section 30 of the Land Revenue Code, 1968 (Bill No. 9 of 1969) (hereinafter referred to as the "said Act") so as to exempt land in occupation of the Government and land used for the solar or wind power stations from the application of provisions of section 30 of the said Act.

The Bill seeks to amend section 32 sub-section (6A) of the Goa Land Revenue Code 1968 (Act No. 9 of 1969) to empower the Government to add or omit any entry from the table specified in clause (ii) of sub-section 6 of section 32 of the said Act.

The Bill also seeks to amend section 173 of the Goa Land Revenue Code 1968 (Act No 9 of 1969) so as to facilitate delivery of notices through electronic mode or such other mode as prescribed and publication of such notices on notified website.

This Bill seeks to achieve this object

Financial Memorandum

Financial implications are involved in the Bill and cannot be quantified at this stage.

Memorandum Regarding Delegated Legislation

Clause 3 of the Bill empowers the Government to issue Notification so as to add or omit any entry from the table specified in clause (ii) of sub-section 6 of section 32 of the said Act.

Clause 4 of the Bill empowers the Government to make rules for prescribing the manner of service of notice and to issue notification for specifying website.

This delegation is of normal character.

Porvorim, Goa JENNIFER MONSERRATE
27th January, 2021 (Minister for Revenue)

Assembly Hall (NAMRATA ULMAN)
Porvorim, Goa Secretary to the Legislative
27th January, 2021 Assembly

Governor's Recommendation Under Article 207 of The Constitution of India

In pursuance of Article 207 of the Constitution of India, I, Bhagat Singh Koshyari, Governor of Goa, hereby recommend the introduction and consideration of the Goa Land Revenue Code, 1968 (Amendment) Bill, 2021 by the Legislative Assembly of Goa.

Place: Raj Bhavan BHAGAT SINGH KOSHYARI
Dona Paula, Goa. Governor of Goa
Date: 27th January, 2021.

ANNEXURE

Extract of the relevant portion of section 30, 32, and 173 of Goa Land Revenue Code, 1968

30. *Permission for non-agricultural use:*— No land used for agriculture shall be used for any non-agriculture purpose; and no land assessed for one non-agricultural purpose shall be used for any other non-agricultural purpose or for the same non-agricultural purpose but in relaxation of any of the condition imposed at the time of the grant of

permission for non-agricultural purpose, except with the permission of the Collector under section 32".

32. Procedure for conversion of use of land from one purpose to another.— (1) If an occupant of land or a tenant of such land—

(a) Which is assessed or held for the purpose of agriculture wishes to use it for a non-agriculture purpose, or

(b) Where land is assessed or held for a particular non-agricultural purposes, wishes to use it for another non-agriculture purpose, or

(c) Desires to use it for the same non-agriculture purpose for which it is assessed but in relaxation of any of the conditions imposed at the time of grant of land or permission for such non-agriculture purpose, such occupant or tenant shall, with consent of the tenant or, as the case may be, of the occupant, apply to the Collector for permission in accordance with the form prescribed.

(2) The Collector, on receipt of an application,—

(a) Shall acknowledge the application within seven days;

(b) May, unless the Collector directs otherwise, return the application if it is not made by the occupant or, as the case may be, the tenant or if the consent of the tenant, or as the case may be, of the occupant has not been obtained, or if it is not in accordance with the form prescribed;

(c) May, after due enquiry, either grant the permission on such terms and conditions as he may specify subject to any rules made in this behalf by the Government; or refuse the permission applied for, if it is necessary so to do to secure the public health, safety and convenience or if such use is contrary to any scheme for the planned development of a village, town or city in force under any law for the time being in force and in the case of land which is to be used as building sites in order to secure in addition that the dimensions, arrangement and accessibility of the sites are adequate for the health and convenience of the occupiers or are

suitable to the locality; where an application is rejected, the Collector shall state the reasons in writing of such rejection.

(3) The Collector shall take a decision on the application within a period of sixty days from the date of receipt of the application and in case of his failures to do so, the person shall have the right to make an appeal to the Secretary (Revenue) to the Government who shall dispose of the appeal within a period of thirty days from the day of filing of appeal.

(4) The person to whom permission is granted under this section shall inform the Mamlatdar in writing through the village accountant of the date on which the change of user of land commenced, within thirty days from such date.

(5) If the person fails to inform the Mamlatdar, within the period specified in sub-section (4), he shall be liable to pay, in addition to the non-agricultural assessment, such fine as the Government may, by notification in the Official Gazette, specify, from time to time.

(6) (i) For the purpose of conversion, the land in the State of Goa shall be categorized as below:—

"A" Category: Coastal Panchayat areas and areas of five major towns, such as, Panaji, Mapusa, Ponda, Vasco and Margao;

"B" Category: Census Towns areas and areas of village panchayats adjoining said five major towns and other Municipal areas;

"C" Category: Other Village Panchayat areas.

"(ii) When the land is permitted to be used from one purpose to another, a sanad shall be granted to the holder thereof in the prescribed form, on payment of the fees, hereinbelow:—"

(a) "A" Category areas: Double the rate specified in Table below.

(b) "B" Category areas: 1.5 times of the rate specified in Table below.

(c) "C" Category areas: As specified in Table below.

TABLE

Category	500 square meters and less	Above 500 square metres but upto 2000 square meters	Above 2000
(1)	(2)	(3)	(4)
(i) Residential	S1 - Rs. 80/- S2 - Rs. 60/- S3 - Rs. 50/- S4 - Rs. 40/-	1.5 times extra as mentioned in column (2)	Double the amount as mentioned in column (2)

(1)	(2)	(3)	(4)
(ii) Commercial	C1 - Rs. 440/- C2 - Rs. 390/- C3 - Rs. 330/- C4 - Rs. 280/-	1.5 times extra as mentioned in column (2)	Double the amount as mentioned in column (2)
(iii) Industry	Rs. 110/-	1.5 times extra as mentioned in column (2)	Double the amount as mentioned in column (2)

Provided that no such fees shall be leviable in cases where sanad is granted for the purpose of churches, temples, mosque, gurudwaras:

Provided further that when the land to be used for the purpose of sports, health, education, charitable or cultural institutions, housing by a co-operative housing society formed by the Government employees or the accredited journalists registered with the Directorate of Information and Publicity, Government of Goa, the Government may, by notification in the Official Gazette, exempt from payment of said fees.

(6A) The Government may, by notification in the Official Gazette, amend any entry in the Table specified in clause (ii) of sub-section (6) and thereafter such Table shall be deemed to have been amended accordingly.

(6B) Every notification issued under sub-section (6A) shall be laid as soon as may be after it is made on the table of the Legislative Assembly while it is in session for a total period of thirty days which may be comprised in one session or in two session successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following, the Legislative Assembly agrees in making any modification in the notification should not be made and notify such decision in the Official Gazette, the notification shall from the date of publication of such decision have effect only in such modified form or to be of no effect, as the case may be, so however that any such modification or annulment shall be without prejudice to the validity of anything previously done or omitted to be done under that notification.

(7) It shall be lawful for the Collector, either on his motion or on the application of a person affected by the error to direct at any time the correction of any clerical or arithmetical error in the sanad arising from any accidental slip or omission.

173 *Mode of serving notice.*— (1) Subject to the provisions of this code and the rules made there under, every notice under this Code may be served either by tendering or delivering a copy thereof, or sending such copy by post to the person on whom

it is to be served, or his authorised agent or, if service in the manner aforesaid cannot be made, by affixing at copy thereof at his last known places of resident or at some place of public resort in the village in which the land to which the notice relates is situated.

LA/LEGN/2021/1960

The following bill which was introduced in the Legislative Assembly of the State of Goa on 28th January, 2021 is hereby published for general information in pursuance of Rule-138 of the Rules of Procedure and Conduct of Business of the Goa Legislative Assembly.

The Goa Regularisation of Unauthorized Construction (Amendment) Bill, 2021

(Bill No. 13 of 2021)

A

Bill

Further to amend the Goa Regularisation of Unauthorized Construction Act, 2016 (Goa Act 20 of 2016).

BE it enacted by the Legislative Assembly of Goa in the Seventy-second Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Goa Regularisation of Unauthorized Construction (Amendment) Act, 2021.

(2) It shall be deemed to have come into force on the 24th day of June, 2016.

2. *Amendment of Section 3.*— In section 3 of the Goa Regularisation of Unauthorized Construction Act, 2016 (Goa Act 20 of 2016), in sub-section (5),— (i) for the expression

"areas covered under Eco Sensitive Zone," the expression "areas covered under Eco Sensitive Zone-I, areas other than orchard land or cultivable land covered under Eco Sensitive Zone-II" shall be substituted;

(ii) the following explanation shall be inserted, namely:—

"*Explanation.*— (i) "Eco Sensitive Zone-I" means Eco Sensitive Zone-I as classified in Regional Plan 2021.";

(ii) "Eco Sensitive Zone-II" means Eco Sensitive-II as classified in Regional Plan 2021.";

(iii) the following proviso shall be inserted, namely:—

"Provided that the authorized officer may entertain any application under sub-section (1), if the unauthorized construction falls within the limits of the area covered under Settlement Zone, Institutional Zone or Industrial Zone, Cultivable Zone, ORCHARD,":—

Statement of Object and Reasons

The Bill seeks to amend sub-section (5) of Section 3 of the Goa Regularisation of Unauthorized Construction Act, 2016 (Goa Act 20 of 2016) so as to facilitate the regularization of unauthorized construction in orchard and cultivable lands under Eco-Sensitive Zone-II.

This Bill seeks to achieve the above object.

Financial Memorandum

No financial implications are involved in this Bill.

Memorandum Regarding Delegated Legislation

No delegated legislation is involved in this Bill.

Assembly Hall, (JENNIFER MONSERRATE)
Porvorim-Goa. Minister for Revenue.
27th January, 2021.

Assembly Hall, (NAMRATA ULMAN)
Porvorim-Goa. Secretary to the Legislative
27th January, 2021. Assembly of Goa.

ANNEXURE

Extract of Section 3 of the Goa Regularisation of Unauthorized Construction Act, 2016 (Goa Act 20 of 2016).

3. Regularisation of unauthorized construction.—
(1) Any person who has carried out unauthorized construction in the property specified herein below before the 28th day of February, 2014, may make an application in Form I hereto together with application fee in the form of Court fee stamp of rupees five, documents specified in Schedule I hereto, sketch of the structure proposed to be regularised alongwith dimensions to the officer as may be authorised by the Government by Notification in the Official Gazette, not below the rank of Junior Scale Officer of Goa Civil Service, for regularisation of such unauthorized construction, within a period of 210 days from the date of coming into force of this Act:

(a) any residential, commercial or residential cum commercial unauthorised construction in applicants own property or by the applicant who is co-owner, with written consent of all other co-owners thereto, in a property jointly held by the applicant with such co-owners.

(b) any unauthorized construction of a dwelling house by the applicant who is declared/registered as mundkar under the provisions of the Goa, Daman and Diu Mundkars (Protection from Eviction) Act, 1975 (Act No. 1 of 1976) or a farm house constructed by the applicant who is tenant or owner of an agricultural land.

(c) any unauthorized construction by the applicant in undivided property jointly held by a unit of family or families, with written consent of all other members of the family/families.

(d) any unauthorized construction carried out by an institution or a person other than an individual in its property.

(e) any unauthorized construction carried out by the applicant, in a property wholly owned by another person with the consent of such person.

Provided that the person who could not make application within above period may make such application within a period of thirty days from the date of coming into force of the Goa Regularisation of Unauthorized Construction (Amendment) Act, 2018.

(2) The authorised officer shall issue acknowledgment to the applicant of having received the application under sub-section (1).

(3) The authorised officer shall scrutinize the application received under sub-section (1) and after holding an enquiry, as he deems fit and conducting site inspection thereof and subject to payment by the applicant of charges, taxes, fees and penalty as determined by the authorised officer as per schedule II hereto, pass an order of regularisation of such unauthorized construction.

(4) The built up area of the unauthorized construction which is proposed to be regularised shall not exceed,—

(i) 200 square meters in case such construction is meant for personal residence of the applicant;

(ii) 100 square meters in case such construction is meant for commercial purpose of the applicant;

(iii) 250 square meters in case such construction is meant for residential cum commercial purpose of the applicant;

(iv) 400 square meters in case such construction is meant for institutional purpose.

(5) The authorised officer shall not entertain any application under sub-section (1), if the unauthorized construction falls within the limits of the protected forest, area declared as a wild life sanctuary, area covered under the Coastal regulation zone, No Development Zone, open spaces, public land, areas covered under Eco Sensitive Zone, Khazan land, any construction prohibited under the Goa Land (Prohibition on Construction) Act, 1995, (Goa Act No. 20 of 1995), road set back or right of way or any construction which causes obstruction to any natural water channel or any structure which is constructed by filling water bodies or any construction in or for scrap yard.

(6) The authorised officer shall not entertain an application or proceed with regularisation process of unauthorized construction where any Court, Tribunal or any Statutory Authority has passed any injunction or granted status quo or any prohibitory order, or such unauthorized construction is a subject matter of a dispute before such Court, Tribunal or any Statutory Authority.

(7) Where any unauthorized construction is a subject matter of dispute before any Court, Tribunal or any Statutory Authority, and if authorised officer passes any order of regularization under this Act, such order shall be subject to the decision of such Court or Tribunal or Statutory Authority.

(8) Notwithstanding anything contained in the relevant Act, upon passing of the order of regularisation of any unauthorized construction under this Act, such unauthorized construction shall be deemed to have been regularised under the relevant Act.

LA/LEGN/2021/1961

The following bill which was introduced in the Legislative Assembly of the State of Goa on 28th January, 2021 is hereby published for general information in pursuance of Rule-138 of the Rules of Procedure and Conduct of Business of the Goa Legislative Assembly.

The Goa Motor Vehicles (Amendment) Bill, 2021

(Bill No. 14 of 2021)

A

Bill

further to amend the Goa, Daman and Diu Motor Vehicles Tax Act, 1974 (Act No. 8 of 1974) and the Goa, Daman and Diu Motor Vehicles (Taxation Passenger and Goods) Act, 1974 (Act No. 7 of 1974).

BE it enacted by the Legislative Assembly of Goa in the Seventy-second Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Goa Motor Vehicles Tax (Amendment) Act, 2021.

(2) It shall be deemed to have come into force on the 18th day of December, 2020.

2. *Amendment of section 3.*— In section 3 of the Goa, Daman and Diu Motor Vehicles Tax Act, 1974 (Act No. 8 of 1974), hereinafter referred to as the “principal Act” in sub-section (1), after the second proviso, the following provisos shall be inserted, namely:—

“Provided also that no tax shall be leviable under this section on any transport vehicle for the period 01-04-2020 to 30-09-2020, except the transport vehicle which has already paid one time tax at the time of registration:

Provided also that if tax is already paid under this section by any transport vehicle for the period 01-04-2020 to 30-09-2020, it shall be adjusted towards the tax payable

in respect of same transport vehicle in future.”.

3. *Amendment of section 12.*— In section 12 of the principal Act, the following provisos shall be inserted, namely:—

“Provided that no penalty under this section shall be leviable in respect of the tax due for the period 01-04-2020 to 31-03-2021, if such tax is paid on or before 31-03-2021:

Provided further that if any penalty is already paid in respect of any motor vehicle, for period 01-04-2020 to 31-03-2021, then it shall be adjusted towards the tax payable in respect of same motor vehicle in future.”.

4. *Amendment of section 3 of the Goa, Daman and Diu Motor Vehicles (Taxation on Passengers and Goods) Act, 1974 (Act No. 7 of 1974).*— In section 3 of the Goa, Daman and Diu Motor Vehicles (Taxation on Passengers and Goods) Act, 1974 (Act No. 7 of 1974), in sub-section (1), in clause (i), after the existing proviso, the following provisos shall be inserted, namely:—

“Provided that no tax shall be leviable under this section on passengers, luggage and goods carried by a stage carriage, contract carriage, maxi-cab, taxi, autorickshaw, motorcycle or a rent a bike/car for the period 01-04-2020 to 30-09-2020:

Provided further that if any tax is already been paid under this section on passengers, luggage and goods by any stage carriage, contract carriage, maxi-cab, taxi, autorickshaw, motorcycle or a rent a bike/car, it shall be adjusted towards the tax payable in respect of same motor vehicle in future.”.

5. *Repeal and savings.*— (1) The Goa Motor Vehicles Tax (Amendment) Ordinance, 2020 (Ordinance No. 14 of 2020) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the Goa, Daman and Diu Motor Vehicles

Tax Act, 1974 (Act No. 8 of 1974) or the Goa, Daman and Diu Motor Vehicles Taxation on Passengers and Goods Act, 1974 (Act No. 7 of 1974), as amended by the said Ordinance, shall be deemed to have been done or taken under the Goa, Daman and Diu Motor Vehicles Tax Act, 1974 (Act No. 8 of 1974) or the Goa, Daman and Diu Motor Vehicles Taxation on Passengers and Goods Act, 1974 (Act No. 7 of 1974), as the case may be, as amended by this Act.

Statement of Objects and Reasons

Due to outbreak of COVID-19 pandemic, lockdown was implemented by the State Government from 22-03-2020, and hence owners of all commercial and passenger vehicles were unable to pay motor vehicle tax and passenger tax within stipulated time.

Ministry of Road Transport and Highways (MoRTH), Government of India issued advisory from time to time to all the States/ Union Territories to consider provisions available under the Motor Vehicles Act, 1988 and also other such provisions available under various State Acts, for considering relaxation in requirement of permit, fees, taxes, renewal/ penalty for permit, etc.

Further, MoRTH has advised all States/ Union Territories to implement this advisory, in letter and spirit, so that the citizens, the transporters, and various other organization which are operating under this difficult time may not get harassed and face difficulties.

In view of the above, an Ordinance, namely the Goa Motor Vehicles Tax (Amendment) Ordinance, 2020 (Ordinance No. 14 of 2020) was promulgated by Governor of Goa on 18-12-2020 so as to exempt payment of motor vehicle tax, passenger tax and penalty leviable in respect of tax due for the period from 01-04-2020 to 31-03-2021.

The Bill also seeks to repeal the Goa Motor Vehicles Tax (Amendment) Ordinance, 2020 (Ordinance No. 14 of 2020) as promulgated by Governor of Goa on 18-12-2020.

This Bill seeks to achieve the above object.

Financial Memorandum

The Bill seeks to exempt tax payable by all kinds of commercial/transport/passenger vehicles registered in the State of Goa, which includes goods carriages, stage carriages, contract carriages, maxi-cabs, motor-cabs, autorickshaw, motorcycles, rent-a-bike, rent-a-car and goods vehicles on pro-rata basis, for a period of six months from 01-04-2020 to 30-09-2020, except vehicles which have paid one time tax at the time of registration.

Provided that, if any tax have already been paid under this Act, it shall be adjusted towards the tax payable in respect of same motor vehicle, in future.

Also, the Bill seeks to exempt penalty leviable under this Act in respect of the motor vehicle for the period 01-04-2020 to 31-03-2021, if such tax is paid on or before 31-03-2021.

Financial implication in exempting penalty, leviable under this Act, in respect of motor vehicle tax due for the period 01-04-2020 to 31-03-2021 is approximately Rs. 2.74 crores. Also, financial implication in exempting motor vehicles tax and passenger tax for commercial/transport/passenger vehicles for the period from 01-04-2020 to 30-09-2020 will be approximately Rs. 16.3 crores.

Memorandum Regarding Delegated Legislation

No delegated legislation is involved in this Bill.

Assembly Hall,
Porvorim, Goa.
27th January, 2021.

Shri MAUVIN GODINHO
Minister for Transport.

Assembly Hall,
Porvorim-Goa.
27th January, 2021.

NAMRATA ULMAN
Secretary, Legislature.

ANNEXURE

Name of the Bill - **The Goa Motor Vehicles Tax (Amendment) Bill, 2021** (Bill No. 14 of 2021)

Sr. No.	Existing Provision	Amendment Proposed in the Bill	Justification, Reason for the Amendment
1.	<p>Extract of Section 3 and Section 12 of The Goa, Daman and Diu Motor Vehicles Tax Act, 1974 (Act No. 8 of 1974).</p> <p>Section 3 of The Goa, Daman and Diu Motor Vehicles Tax Act, 1974. (Act No. 8 of 1974):- Levy of tax.—(1) A tax shall be leviable on every motor vehicle used or kept for use in the State at such rates not exceeding the rates specified in the Schedule Part A' to this Act, and on every motor vehicle other than transport vehicle used or kept for use in the State at such rates not exceeding the rates specified in the Schedule Part B' to this Act] as the Government may, by</p>	<p>A BILL</p> <p><i>further to amend the Goa, Daman and Diu Motor Vehicles Tax Act, 1974</i></p> <p><i>(Act No. 8 of 1974) and the Goa, Daman and Diu Motor Vehicles (Taxation on Passenger and Goods) Act, 1974 (Act No. 7 of 1974).</i></p> <p>Amendment of Section 3 and Section 12 of The Goa, Daman and Diu Motor Vehicles Tax Act, 1974 (Act No. 8 of 1974).</p> <p>1. Amendment of section 3.- In section 3 of the Goa, Daman and Diu Motor Vehicles Tax Act, 1974 (Act No. 8 of 1974), hereinafter</p>	<p>Due to the outbreak of Covid-19 pandemic, a lockdown was implemented from 22-03-2020 by the Central as well as the State Government respectively, which includes restrictions on movement of peoples and vehicles. As a result owners of goods and passenger vehicles could not pay their taxes within stipulated time.</p> <p>The proposed amendments in both act's is to grant relief by way of exemption of M.V. tax and passenger tax for the period from 01-04-2020 to 30-09-2020, and waive of penalty, for both taxes for the period from 01-04-2020 to 31-03-2021, to all goods and</p>

1	2	3	4
	<p>notification in the Official Gazette, specify:</p> <p>Provided that in the case of motor vehicles kept by a dealer in or manufacturer of, such vehicles for the purposes of trade, the tax shall be payable by such dealer or manufacturer on such vehicles which under the rules made under the Motor Vehicles Act, 1939, have been permitted to be used on the road whether under a trade certificate or under a temporary registration. (Central Act 4 of 1939).</p> <p>Provided also that the Government may, in respect of any motor vehicle or class of vehicles prescribed by rule or order that tax in respect of such vehicle or class of motor vehicles shall be levied for periods less than a quarter for which such vehicle or class of vehicles has been kept for use in the Union territory and whereupon tax shall be paid in respect of such vehicles or class of vehicles at such rate as may be prescribed for periods less than a quarter, so however that it shall not proportionately be in excess of the annual rate.</p> <p>Section 12 of The Goa, Daman and Diu Motor Vehicles Tax Act, 1974. (Act No. 8 of 1974):- Penalty for failure to pay tax.— If the tax due in respect of any motor vehicle has not been paid as specified in section 4 or section 7, the registered owner or the person having the possession or control thereof shall, in addition to the payment of the tax due, be liable to a penalty, which shall not be less than 25 percent of the</p>	<p>referred to as the “principal Act” in sub-section (1), after the second proviso, the following provisos shall be inserted, namely:-</p> <p>“Provided also that no tax shall be leviable under this section on any transport vehicle for the period 01-04-2020 to 30-09-2020, except the transport vehicle which has already paid one time tax at the time of registration:</p> <p>Provided also that if tax is already paid under this section by any transport vehicle for the period 01-04-2020 to 30-09-2020, it shall be adjusted towards the tax payable in respect of same transport vehicle in future.”.</p> <p>2. Amendment of section 12.- In section 12 of the principal Act, the following provisos shall be inserted namely:-</p> <p>“Provided that no penalty under this section shall be leviable in respect of the tax due for the period 01-04-2020 to 31-03-2021, if such tax is paid on or before 31-03-2021:</p> <p>Provided further that if any penalty is already paid in respect of any motor vehicle, for period 01-04-2020 to 31-03-2021, then it shall be adjusted towards the tax payable in respect of same motor vehicle in future.”. Amendment of Section 3 of The Goa, Daman and Diu Motor Vehicles (Taxation on Passengers and Goods) Act, 1974 (Act No. 7 of 1974)</p> <p>1. Amendment of section 3 of the Goa, Daman and Diu Motor Vehicles (Taxation on Passengers and Goods) Act, 1974 (Act No. 7</p>	<p>passenger vehicles, plying within the State of Goa.</p> <p>An Ordinance (No. 14 of 2020) namely The Goa, Daman and Diu Motor Vehicles Tax (Amendment) and Taxation on Passenger and Goods (Amendment) Ordinance, 2020 was promulgated by the Governor of Goa on 18-12-2020.</p> <p>The Bill seeks to repeal the Goa Motor Vehicles Tax (Amendment) Ordinance, 2020 (Ordinance No. 14 of 2020) as promulgated by Governor of Goa on 18-12-2020.</p> <p>This Bill seeks to achieve the above object.</p>

1	2	3	4
	<p>tax for the defaulting quarters; provided that the said penalty leviable on tax shall not be charged for the first two months from the start of the financial year.</p> <p>Extract of Section 3 of The Goa, Daman and Diu Motor Vehicles (Taxation on Passengers and Goods) Act, 1974 (Act No.7 of 1974).</p> <p>Section 3 of The Goa, Daman and Diu Motor Vehicles (Taxation on Passengers and Goods) Act, 1974 (Act No.7 of 1974):- Levy of tax on passengers and goods.— (1) On and from the date of the commencement of this Act, there shall be levied and paid to the Government a tax — (i) On all passengers and goods carried by stage carriages, at such rate as would yield an amount equal to ten percentum of the amount of fares and freights payable to the operator of a stage carriage:</p> <p>Provided that if the operator levies and collects fares and freights inclusive of the tax under this sub-section, the operator shall pay to the Government on account of the tax, one-eleventh of the total amount of fares and freights inclusive of tax collected by him; and</p> <p>Provided further that in respect of passengers, luggage or goods carried partly by rail and partly by road, the tax shall be in respect of the fare and freight chargeable for the distance covered by road only:</p> <p>Provided further that no tax shall be payable under this Act on goods carried by Government vehicles and vehicles owned by the Central Government.</p>	<p>of 1974).- In section 3 of the Goa, Daman and Diu Motor Vehicles (Taxation on Passengers and Goods) Act, 1974 (Act No. 7 of 1974), in sub-section (1), in clause (i), after the existing proviso, the following provisos shall be inserted, namely:-</p> <p>“Provided that no tax shall be leviable under this section on passengers, luggage and goods carried by a stage carriage, contract carriage, maxi-cab, taxi, autorickshaw, motorcycle or a rent a bike/car for the period 01-04-2020 to 30-09-2020:</p> <p>Provided further that if any tax is already been paid under this section on passengers, luggage and goods by any stage carriage, contract carriage, maxi-cab, taxi, autorickshaw, motorcycle or a rent a bike/car, it shall be adjusted towards the tax payable in respect of same motor vehicle in future.”.</p>	

Department of Home

Home—General Division

—

Notification

2/86/82-HD(G)/Part-II/272

In exercise of the powers conferred by sub-clause (d) of clause (8) of section 2 of the Official Secrets Act, 1923 (Act No. 19 of 1923) (hereinafter referred to as the "said Act") read with the Notification No. II/21019/2/89-IS(US.DII) dated 21-8-1989 of the Government of India, Ministry of Home Affairs, New Delhi, published in the Gazette of India, Part II, Section 3, Sub-section (ii) vide number S.O. 2081, dated 9-9-1989, the Government of Goa hereby declares the Mopa Airport Area as defined in clause (e) of section 2 of the Goa (Mopa Airport Development Authority) Act, 2018 (Goa Act No. 10 of 2018) to be a prohibited place for the purposes of the said Act, for a period of two years with effect from the date of publication of this Notification in the Official Gazette.

By order and in the name of the
Governor of Goa.

Eshant V. Sawant, Under Secretary
(Home-II).

Porvorim, 27th January, 2021.



Department of Industries

—

Notification

3/02/2015-IND/64

The Goa Investment Promotion and Facilitation Board (IPB) is tasked with the implementation of the Ease of Doing Business (EODB) reforms in the State of Goa to promote investments and create a business-friendly ecosystem in the State.

In the furtherance of the above objective, IPB has taken the following initiatives to enhance information availability and transparency in the existing system:

1. For new businesses seeking to start their operations in Goa, the online wizard or know your Approvals was launched in the Goa Single Window System on the website of IPB (<https://www.goaipb.goa.gov.in/single-window/>). The wizard includes an exhaustive list of pre-establishment and pre-operation clearances required to start commercial activity in the state of Goa. Therefore, in order to provide the latest and most accurate information to the users, all state departments shall notify IPB about the addition and/or elimination of any pre-establishment and pre-operation licenses/permissions/clearances so that IPB may keep the wizard up-to-date. In case of changes, the wizard will be updated accordingly within a period of 30 days from the receipt of such notice by the IPB.

2. Furthermore, to enhance the transparency in online service delivery process, dashboard for disposal of all single window G2B (Government to business) services shall be maintained on the Single Window website indicated in point 1. The dashboard shows the count of applications received and disposed of, updated on a weekly basis.

3. The online Single Window also has a section for Public Consultation by which various state departments may publish their draft regulations online to seek public objections/comments. All state departments shall follow their respective regulatory process to facilitate the use of the said system. Only registered users of Single Window system shall be able to participate in the feedback gathering exercise.

4. Lastly, the online Single Window also has modules to submit online queries and file grievances. Queries are reviewed by IPB and

action taken within 15 days from the receipt of such query. Grievances are directly submitted to the concerned departments for further action and resolution. All state departments shall take necessary steps to ensure time-bound resolution of such grievances in accordance with their acts/rules.

Users are hereby encouraged to avail these and other online services through the Goa state Single Window system on the IPB website

By order and in the name of Governor of Goa.

Amalia O. F. Pinto, Under Secretary (Industries)

Porvorim, 25th January, 2021.



Department of Law & Judiciary
Law (Establishment) Division

—
Order

14/05/2020-LD/Estt./182

Sanction of the Government is hereby accorded for creation of 04 posts of Peons for 04 Hon'ble Judges of the High Court of Bombay at Goa, on co-terminus basis, in the Matrix level 1 of 7th Pay Commission (18000-56900), with immediate effect.

The expenditure on the above posts shall be debited to the Budget Head, "2014—Administration of Justice, 102—High Court, 01—High Court Bench at Goa, 01—Salaries" under Demand No. 62.

This issues with the recommendation of the Administrative Reforms Department vide their U.O. No. 626/F dated 21-12-2020, Personnel Department vide U.O. No. 324/F dated

04-01-2021 and concurrence of the Finance (R&C) Department vide their U.O. No. 1400076494 dated 05-01-2021 and with the approval of Cabinet conveyed vide General Administration Department letter No. 1/1//2021-GAD-II dated 21-01-2021.

By order and in the name of Governor of Goa.

Amir Y. Parab, Under Secretary (Estt).

Porvorim, 25th January, 2021.

—
Order

14/07/2016-LD/Estt./183

Sanction of the Government is hereby accorded for creation of 04 posts of Law Clerks on consolidated amount of Rs. 20,000/- per month as stipend/honorarium to be appointed on ad-hoc contractual basis for a period of one year only, in the establishment of High Court of Bombay at Goa, with immediate effect:—

The expenditure on the above posts shall be debited to the Budget Head, "2014-Administration of Justice, 102-High Court, 01- High Court Bench at Goa, 01- Salaries" under Demand No. 62.

This issues with the recommendation of the Administrative Reforms Department vide their U.O. No. 625/F dated 21-12-2020, Personnel Department vide U.O. No. 02/F dated 04-01-2021 and concurrence of the Finance (R&C) Department vide their U.O. No. 1400023434 dated 05-01-2021 and with the approval of Cabinet conveyed vide General Administration Department letter No. 1/1/2021-GAD-II dated 21-01-2021.

By order and in the name of Governor of Goa.

Amir Y. Parab, Under Secretary (Estt).

Porvorim, 25th January, 2021.

Department of Personnel

Notification

1/3/84-PER(Pt. II)

In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India and in supersession of the Government Notification specified in rule 7 hereto, the Governor of Goa hereby makes the following rules to regulate the recruitment to the Group 'C', Non-Ministerial, Non-Gazetted post, in the Department of Printing and Stationery, namely:—

1. *Short title, application and commencement.*— (1) These rules may be called the Government of Goa, Department of Printing and Stationery, Group 'C', Non-Ministerial, Non-Gazetted post, Recruitment Rules, 2021.

(2) They shall apply to the post specified in column (1) of the Schedule to these rules (hereinafter called as the "said Schedule").

(3) They shall come into force from the date of their publication in the Official Gazette.

2. *Number, classification and level in the pay matrix.*— The number of posts, classification of the said post and the level in the pay matrix attached thereto shall be as specified in columns (2) to (4) of the said Schedule:

Provided that the Government may vary the number of posts as specified in column (2) of the said Schedule from time to time subject to exigencies of work.

3. *Method of recruitment, age limit and other qualifications.*— The method of recruitment to the said posts, age limit, qualifications and other matters connected therewith shall be as specified in columns (5) to (13) of the said Schedule.

4. *Disqualification.*— No person who has entered into or contracted a marriage with a person having a spouse living or who, having a spouse living, has entered into or contracted a marriage with any person, shall be eligible for appointment to the service:

Provided that the Government may, if satisfied that such marriage is permissible under the personal law applicable to such person and the other party to the marriage and that there are other grounds for so doing, exempt any person from the operation of this rule.

5. *Power to relax.*— Where, the Government is of the opinion that it is necessary or expedient so to do, it may, by order, for reasons to be recorded in writing, relax any of the provisions of these rules with respect to any class or category of persons.

6. *Saving.*— Nothing in these rules shall affect reservation, relaxation of age limit and other concessions required to be provided for Scheduled Castes, Scheduled Tribes, Other Backward Classes, Ex-servicemen and other special categories of persons in accordance with the orders issued by the Government from time to time in that regard.

7. These rules are issued in supersession of the existing Recruitment Rules for the post of Typesetter, notified vide Government Notification No. 1/3/84-PER (Pt. III) dated 03-08-2011 in the Official Gazette, Series I No. 18 dated 04-08-2011.

By order and in the name of the Governor of Goa.

Vishal C. Kundaikar, Under Secretary (Personnel-I).

Porvorim, 27th January, 2021.

SCHEDULE

1	2	3	4	5	6	7	8	9	10	11	12	13
Name/ designa- tion of the post	Number of posts	Classifi- cation	Level in the Pay Matrix	Whether selection post or non- selection post	Age limit for direct recruits	Educational and other qualifications required for direct recruits	Whether age & educational qualifications prescribed for the direct recruits will apply in the case of promotes	Period of proba- tion, if any	Method of recruit- ment, whether by direct recruitment or by promotion or by deputation/ transfer/ contract and percentage of the vacancies to be filled by various methods	In case of recruit- ment by promotion/ deputation/ transfer, grades from which promotion/ deputation/ transfer is to be made	If a D.P.C./ D.S.C. exists, what is its compo- sition	Circum- stances in which the Goa Public Service Commission is to be consulted in making recruitment
Typesetter. 08 (2021) (Subject to -Ministe- rial, Non- de- pendent on work- load).		Group 'C', Non-	L-4.	Selec- tion.	Not exceeding 45 years (Relaxable for Government servants upto five years in accordance with the instructions or orders issued by the Govern- ment from time to time).	Essential: (1) Diploma in Computer Science from a recognized Institution OR (1) Certificate issued by Industrial Training Institute in Desktop Publishing. (2) Three years experience in the relevant trade. (3) Knowledge of Konkani. <i>Desirable:</i> Knowledge of Marathi	No	Two years.	50% by promotion failing which, by direct recruitment and 50% by direct recruitment.	Promotion: Compositor Grade II with five years regular service in the grade, subject to passing of Departmental qualifying trade test.	Group 'C', D.S.C./ D.P.C.	N.A.

Department of Power
Office of the Chief Electrical Engineer

Order

CEE/Estt/Revival Execut.Engin./3500

Sanction of the Government is hereby conveyed for revival of 01 (one) post of Executive Engineer (Elect.), Group 'A' Gazetted in the Pay Matrix Level 11 in the Electricity Department as per the details shown below:—

Sr. No.	Jurisdiction	Office to which the post is attached	Budget Head
1.	South Goa	Division XII, Xeldem	2801—Power; 05—Transmission and Distribution; 001—Direction & Administration; 02—Establishment (Plan); 01—Salaries.

2. This issues with the approval of Personnel Department vide U. O. No. 3899/F dated 01-12-2020, concurrence of the Finance Department vide U. O. No. 1400076829 dated 10-01-2021 and the approval of Hon'ble Chief Minister dated 30-11-2020.

By order and in the name of Governor of Goa.

Rajiv R. Samant, Chief Electrical Engineer & ex officio Addl. Secretary.

Panaji, 28th January, 2021.

Department of Revenue

Notification

16/28/2016-RD/7711

The following draft rules which Government of Goa proposes to make in exercise of the powers conferred by sub-sections (1) and (2) of section 199 of the Goa Land Revenue Code, 1968 (Act No. 9 of 1969) so as to further amend the Goa, Daman and Diu Land Revenue (Record of Right and Register of Cultivators) Rules, 1969, are hereby pre-published as required by sub-section (3) of section 199 of the said Code for information of all persons likely to be affected thereby and notice is hereby given that the said draft Rules will be taken into consideration by the Government after expiry of a period of fifteen days from the date of

publication of this Notification in the Official Gazette.

All objections and/or suggestions to the said draft Rules may be forwarded to the Secretary (Revenue) to the Government of Goa, Revenue Department, Secretariat, Porvorim, Goa, before the expiry of the said period of fifteen days so that they may be taken into consideration at the time of finalization of the said draft Rules.

DRAFT RULES

In exercise of the powers conferred by sub-sections (1) and (2) of section 199 of the Goa Land Revenue Code, 1968 (Act No. 9 of 1969) and all other powers enabling it in this behalf, the Government of Goa hereby makes the following rules so as to further amend the Goa, Daman and Diu Land Revenue (Records

of Rights and Register of Cultivators) Rules, 1969, namely:—

(1) *Short title and commencement.*— (1) These rules may be called the Goa Land Revenue (Record of Rights and Register of Cultivators) (Amendment) Rules, 2021.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. *Amendment of rule 9.*— In rule 9 of the Goa, Daman and Diu Land Revenue (Record of Right and Register of Cultivators) Rules, 1969 (hereinafter referred to as the "principal Rules"), in sub-rule (2), for the expression "intimation sent to him" the expression "intimation alongwith to objection under clause (i) (a) of the proviso to sub-rule (2) of rule 10, if any, sent to him" shall be substituted.

3. *Amendment to rule 10.*— In rule 10 of the principal Rules, in sub-rule (1), in the proviso, for clause (i), the following clause shall be substituted, namely;—

"(i) all person interested in land give their consent to,—

(a) the registering officer at the time of registration of the documents; or

(b) the Mamlatdar of Taluka,

for carrying out mutation;"

4. *Amendment to rule 15.*— In rule 15 of the principal Rules, in sub-rule (1), for the expression "alongwith the mutation fees as specified in section 96 of the Code and shall send intimation to the Mamlatdar of the Taluka in Form XIII along with the duplicate copy of the document, registered by him in respect of lands include in each village", the expression "alongwith the mutation fees as specified in section 96 of the Code and no objection under clause (i) (a) of the proviso to sub-rule (1) of rule 10, if any and shall send intimation to the Mamlatdar of Taluka in Form XIII along with such no objection, if any, and the duplicate copy of the document, registered by him in respect of lands included in each village" shall be substituted.

By order and in the name of Governor of Goa.

Sudin A. Natu, Under Secretary (Revenue-I).

Porvorim, 20th January, 2021.

www.goaprintingpress.gov.in

Printed and Published by the Director, Printing & Stationery,
Government Printing Press,
Mahatma Gandhi Road, Panaji-Goa 403 001.

PRICE – Rs. 38.00

PRINTED AT THE GOVERNMENT PRINTING PRESS, PANAJI-GOA—340/160—2/2021.